The Bombay Government Gazette

PUBLISHED BY AUTHORITY.

THURSDAY, 27TH MAY 1920. [No. 22

Separate paging is given to this Part in order that it may be filed as a separate compilation

CONTENTS.

	Pages.
Part I.—Government Notifications: Appointments, Promotions, Leave of Absence, Rules, etc.	1304—1392
Miscellaneous Notifications: Appointments, etc., etc.	1393—1404
Part I-A.—Notifications under the Bombay Local Boards and District Municipal Acts	57—60
Part II.—Miscellaneous Notices and Advertisements, Lists of Publications for Sale, Summary of Births and Deaths, etc.	618—650
Part III.—Miscellaneous Supplements: Season and Crop Reports, etc.	691—696
SUPPLEMENT No. 22	224—228

NOTE.—Other Parts not published.

PART I.

Government Notifications, Appointments, etc.

NOTIFICATIONS.

JUDICIAL DEPARTMENT.

Bombay Castle, 21st May 1920.

No. 4700.—In exercise of the power conferred by section 1 of the Bombay Prevention of Gambling Act IV of 1887 as amended by Bombay Act VI of 1919, the Governor in Council is pleased to extend section 12 of the Act as amended by Bombay Acts I of 1890 and I of 1910 to the following local areas in the Ahmednagar District:—

The villages of Ráhuri Khurd, Bahmani and Vambori in the Ráhuri Táluka.

Bombay Castle, 25th May 1920.

No. 4780.—It is hereby notified that the undermentioned convict who has escaped from Port Blair is still at large, and that a reward of Rs. 100 will be paid by the Government of Bombay for information leading to the recapture of the convict:—

1	2	3	4	5	6	7			8	9	10	11	12	13	14	14A	15	16		17		18	19	20	21	22
Serial Number.	Jail Register Number.	Name of Prisoner.	Father's name and trade or occupation.	Caste.	Religion.	Native of what place.			Trade or profession.	Whether able to read and write, and what language.	Crime.	Date of sentence.	Period of sentence.	Date of expiry of sentence.	By what Court sentenced.	Appeal.	Age.	Height.		Measurement from tip to tip of middle fingers with arms extended at right angles to body.		Cranial measurements.	Personal description.	Previous convictions with sections of Penal Code or other law and date and period of sentence.	Surgeon's report.	Remarks.
						Town or Village.	Parganah or Taluka.	District or Province.										Feet.	Inches.	Feet.	Inches.					
Convict No. 38,104.	3043-A.	Nga Po Thaw.	Ko Se. Cooly.	Burman.	Buddhist.	Kyaw Zan.	Aligu.	Insein.	Cooly.	Read and write Burmese.	304, Part I, I. P. C.	26th May 1915.	Transportation for life (20 years').	25th May 1935.	Sessions Judge, Hanthawaddy.	...	30	5	3	5	4	...	One scar on left side of front of the head, one scar on back of left hand, two scars inner side of left thigh.	*Nil.*	Fit.	Escaped on 21st March 1920.

By order of His Excellency the Honourable the Governor in Council,

A. MONTGOMERIE,
Acting Secretary to Government.

PUBLIC WORKS DEPARTMENT.

Bombay Castle, 18th May 1920.

No. 759-*Ry.*—The following notification by the Government of India, Railway Department (Railway Board), is republished :—

" No. 261-*P.*-16, dated Simla, the 28th April 1920.

With reference to this office Notification No. 148, dated the 9th June 1914, it is hereby notified for general information that the Railway Board have sanctioned a further detailed survey of the Hotgi Sholápur metre gauge railway being carried out by the agency of the Madras and Southern Mahratta Railway.

(Signed) H. L. COLE,
Secretary, Railway Board."

By order of His Excellency the Honourable the Governor in Council,

E. M. PROES,
Acting Joint Secretary to Government.

Bombay Castle, 19th May 1920.

No. *E*.-10712.—The following Corrigendum by the Government of India, Public Works Department, is republished with reference to Government Notification No. *E*.-10320, dated 10th May 1920 :—

"ESTABLISHMENTS.

Simla, the 8th May 1920.

CORRIGENDUM.—*In the regulations as to appointment of Assistant Executive Engineers in 1920, published in the Supplement to the* Gazette of India *of the 1st May 1920, from rule 16 delete the words* :—" and are under 27 " *and the whole of the last sentence.*

In paragraph 3 of Appendix IV to the regulations the senior scale rates of pay ranging from Rs. 700 to Rs. 1,300 and the corresponding rates ranging from Rs. 975 to Rs. 1,625 should correspond with the 9th to 24th years of service.

(Signed) S. D'A. CROOKSHANK, Colonel,
Secretary to the Government of India."

No. *E*.-10713.—The following Resolution by the Government of India, Public Works Department, is republished with reference to Government Notification No. *E*.-14533, dated the 10th November 1919 :—

"ESTABLISHMENTS.

No. 264-*E.A.*, dated Simla, the 6th May 1920.

RESOLUTION.

Since the issue of the Government of India, Public Works Department, Resolution No. 558-*E.A.*, dated the 22nd October 1919, promulgating revised scales of pay for Engineers of the Public Works Department, His Majesty's Secretary of State for India has sanctioned the amalgamation of the Imperial service and of the Provincial service as constituted prior to the 1st February 1920 into one service designated 'The Indian Service of Engineers.' He has also had under consideration the question of effecting the necessary differentiation in the remuneration of Europe-recruited and India-recruited officers, respectively, by the grant to the former of special allowances in addition to the Indian or normal rate of pay. He has decided that European engineers recruited for the Public Works Department should receive an overseas allowance in common with European officers of other departments on the ground of expatriation, and that all Europe-recruited engineers, whether European or Indian, should receive a technical allowance on the ground of the superior professional qualifications at present obtainable in the United Kingdom. This decision has necessitated a revision and re-arrangement of the scale detailed in paragraph 1 of the Government of India Resolution of the 22nd October 1919. The Governor General in Council is pleased to announce that the Secretary of State has sanctioned the following time scale of pay, with effect from the 1st January 1920 :—

Years.	Junior Scale.				Senior Scale.			
	Pay.	Techinical Allowance.	Overseas Allowance.	Total.	Pay.	Technical Allowance.	Overseas Allowance.	Total.
1st	300	75	150	525	...	...	...	...
2nd	350	75	150	575	...	...	...	...
3rd	400	75	150	625	...	...	...	...
4th	450	75	150	675	550	75	150	775
5th	450	75	150	675	550	75	150	775
6th	500	75	150	725	600	75	150	825
7th	550	75	150	775	650	75	150	875
8th	550	75	200	825	650	75	200	925
9th	600	75	200	875	700	75	200	975
10th	650	75	200	925	750	75	200	1,025
11th	700	75	200	975	800	75	200	1,075
12th	750	75	250	1,075	850	75	250	1,175
13th	800	75	250	1,125	900	75	250	1,225
14th	850	75	250	1,175	950	75	250	1,275
15th	900	75	250	1,225	950	75	250	1,275
16th	...	...	...	...	1,000	75	250	1,325
17th	...	...	...	...	1,050	75	250	1,375
18th	...	...	...	...	1,100	75	250	1,425
19th	...	...	...	...	1,150	75	250	1,475
20th	...	...	...	...	1,200	75	250	1,525
21st	...	...	...	...	1,200	75	250	1,525
22nd	...	...	...	...	1,250	75	250	1,575
23rd	...	...	...	...	1,250	75	250	1,575
24th and after.	...	...	...	...	1,300	75	250	1,675

2. The technical allowance is admissible to all Europe-recruited engineers, whether Europeans or Indians. It will reckon as pay for all purposes of the Civil Service Regulations.

3. The overseas allowance (which will also reckon as pay for all purposes of the Civil Service Regulations) will be admissible only to officers of non-Indian domicile, except that Indians recruited in England under the 10 per cent. rule up to and including the year 1924, will receive this allowance. The question of the abolition of the arrangement under which 10 per cent. of the appointments made in England are allotted to Indians will be considered later.

4. An engineer, who is now in receipt of a higher rate of pay than that to which he may be entitled under the scale now introduced, may be allowed to continue to draw the excess amount as pay until it has been absorbed by annual increments.

5. The rates of pay of Superintending and Chief Engineers sanctioned in the Resolution of the 22nd October 1919 remain unchanged. These officers will not draw either the overseas allowance or the technical allowance.

6. The terms and conditions stated in paragraphs 2 to 6 of the Resolution of the 22nd October 1919 will continue to be applicable.

ORDERED that this Resolution be forwarded to the local Governments, Administrations and officers noted below, for information, and that it be published in the Supplement to the *Gazette of India* for general information.

The Government of Madras, Public Works Department.
The Government of Bombay, Public Works Department.
The Government of Bengal, Public Works Department.
The Government of the United Provinces of Agra and Oudh, Public Works Department.
The Government of the Punjab, Public Works Department.
The Government of Burma, Public Works Department.
The Government of Bihar and Orissa, Public Works Department.
The Hon'ble the Chief Commissioner of the Central Provinces.
The Hon'ble the Chief Commissioner of Assam.
The Hon'ble the Chief Commissioner and Agent to the Governor General, North-West Frontier Province.
The Hon'ble the Resident at Hyderabad.
The Hon'ble the Agent to the Governor General for Central India.
The Hon'ble the Agent to the Governor General for Rajputana.
The Hon'ble the Agent to the Governor General and Chief Commissioner, Baluchistan.
The Chief Commissioner of Coorg.
The Chief Commissioner of Delhi.

ORDERED also that this Resolution be communicated to the Home, Finance, Revenue and Agriculture, Commerce, Railway and Army Departments of the Government of India.

(Signed) S. D'A. CROOKSHANK, Colonel,
Secretary to the Government of India."

Bombay Castle, 19th May 1920.

No. *E*.-10711.—In consideration of the magnitude, isolated position and importance of the several works under progress or to be undertaken in the near future at different stations in the Persian Gulf, the Governor in Council is pleased, under paragraph 72 of the Public Works Department Code (X edition), to issue the following orders :—

(1) That the existing Persian Gulf Sub-division should be constituted a temporary Public Works Department District called the "Persian Gulf District" for a period of three years in the first instance with effect from the 1st April 1920.

(2) That the temporary district should be classified as Imperial with head-quarters at Bushire. It will be under the jurisdiction of the Superintending Engineer, Indus Right Bank Division.

(3) That its extent of control should be the same as that of the existing Persian Gulf Sub-division.

(4) That Mr. C. E. Aitken, B.Sc. (Edin.), is appointed to act as Executive Engineer of the new District until further orders.

By order of His Excellency the Honourable the Governor in Council,

H. O. B. SHOUBRIDGE,
Acting Secretary to Government.

REFORMS OFFICE.

Mahábleshwar, 17th May 1920.

No. 867-*R.C.*—The following notification of the Government of India is republished for general information :—

" No. 482-*F.*, dated Simla, the 5th May 1920.

The following rules relating to the Provincial Legislative Councils, which have been framed under section 72-A-(4) (*a*), (*b*), (*c*), (*d*) and (*f*) of the Government of India Act, and submitted for the sanction of the Secretary of State in Council are published for general information :—

* * * * *

Composition of Legislative Council.

I. The Legislative Council of the Governor of Bombay shall consist of—

(1) the members of the Executive Council *ex-officio* ;

(2) eighty-six elected members ; and

(3) such number of members nominated by the Governor as, with the addition of the members of the Executive Council, shall amount to twenty-five ; of the members so nominated—

(*a*) not more than sixteen may be officials, and

(*b*) five shall be non-official persons nominated to represent respectively the following classes or interests, namely :—

(*i*) the Anglo-Indian community ;

(*ii*) the Indian Christian community ;

(*iii*) the labouring classes ;

(*iv*) classes which, in the opinion of the Governor, are depressed classes ; and

(*v*) the cotton trade.

Elected Members.

Constituencies.

II. The elected members shall be elected by the constituencies specified in Schedule I to these rules, and the number of members to be elected by each constituency, and the number, if any, of seats reserved for Mahratta members (hereinafter in these rules referred to as reserved seats), shall be as stated therein against that constituency.

General disqualifications for being elected.

III. (1) A person shall not be eligible for election as a member of the Council if such person—

(*a*) is not a British subject ; or

(*b*) is a female ; or

(*c*) is already a member of the Council or of any other legislative body constituted under the Act ; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court ; or

(*e*) has been adjudged by a competent court to be of unsound mind ; or

(*f*) is under 25 years of age ; or

(*g*) is an undischarged insolvent ; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part :

Provided that the local Government may direct that, subject to such conditions as it may prescribe, a Ruler of any State in India or the Rulers of any such States or a subject of any such State or any class of such subjects shall not be ineligible for election by reason only of not being a British subject or British subjects :

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the local Government in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for election for five years from the date of the expiration of the sentence.

Special qualifications for election in case of certain constituencies.

IV. (1) A person shall not be eligible for election as a member of the Council to represent—

(*a*) a Bombay City constituency, unless his name is registered on the electoral roll of the constituency or on the electoral roll of a Bombay City constituency of the same communal description ; or

2. The technical allowance is admissible to all Europe-recruited engineers, whether Europeans or Indians. It will reckon as pay for all purposes of the Civil Service Regulations.

3. The overseas allowance (which will also reckon as pay for all purposes of the Civil Service Regulations) will be admissible only to officers of non-Indian domicile, except that Indians recruited in England under the 10 per cent. rule up to and including the year 1924, will receive this allowance. The question of the abolition of the arrangement under which 10 per cent. of the appointments made in England are allotted to Indians will be considered later.

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The Hon'ble the Resident at Hyderabad.
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(3) such number of members nominated by the Governor as, with the addition of the members of the Executive Council, shall amount to twenty-five ; of the members so nominated—

(*a*) not more than sixteen may be officials, and

(*b*) five shall be non-official persons nominated to represent respectively the following classes or interests, namely :—

(*i*) the Anglo-Indian community ;

(*ii*) the Indian Christian community ;

(*iii*) the labouring classes ;

(*iv*) classes which, in the opinion of the Governor, are depressed classes ; and

(*v*) the cotton trade.

Elected Members.

Constituencies.

II. The elected members shall be elected by the constituencies specified in Schedule I to these rules, and the number of members to be elected by each constituency, and the number, if any, of seats reserved for Mahratta members (hereinafter in these rules referred to as reserved seats), shall be as stated therein against that constituency.

General disqualifications for being elected.

III. (1) A person shall not be eligible for election as a member of the Council if such person—

(*a*) is not a British subject ; or

(*b*) is a female ; or

(*c*) is already a member of the Council or of any other legislative body constituted under the Act ; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court ; or

(*e*) has been adjudged by a competent court to be of unsound mind ; or

(*f*) is under 25 years of age ; or

(*g*) is an undischarged insolvent ; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part :

Provided that the local Government may direct that, subject to such conditions as it may prescribe, a Ruler of any State in India or the Rulers of any such States or a subject of any such State or any class of such subjects shall not be ineligible for election by reason only of not being a British subject or British subjects :

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the local Government in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for election for five years from the date of the expiration of the sentence.

Special qualifications for election in case of certain constituencies.

IV. (1) A person shall not be eligible for election as a member of the Council to represent—

(*a*) a Bombay City constituency, unless his name is registered on the electoral roll of the constituency or on the electoral roll of a Bombay City constituency of the same communal description ; or (*b*) a Mahratta constituency, unless he is a Mahratta and unless his name is registered on the electoral roll of the constituency and he has resided in the constituency for a period of six months prior to the 1st day of January in the year in which the constituency is called upon to elect a member or members: provided that a candidate eligible for election in any such constituency shall be eligible for election in another Mahratta constituency or in a non-Muhammadan constituency if the whole or part of such Mahratta or non-Muhammadan constituency is included in the same district as any part of the constituency in which he has so resided; or

(*c*) a non-Muhammadan constituency, unless his name is registered on the electoral roll of the constituency and he has resided in the constituency for a period of of six months prior to the 1st day of January in the year in which the constituency is called upon to elect a member or members: provided that a candidate eligible for election in any such constituency shall be eligible for election in another non-Muhammadan or, if he is a Mahratta, in a Mahratta constituency if the whole or part of such non-Muhammadan or Mahratta constituency is included in the same district as any part of the constituency in which he has so resided; or

(*d*) any other general constituency, unless his name is registered on the electoral roll of the constituency and he has resided in the constituency for a period of six months prior to the 1st day of January in the year in which the constituency is called upon to elect a member or members: provided that a candidate eligible for election in any such constituency shall be eligible for election in a constituency of the same communal description if the whole or part of either constituency is included in the same district; or

(*e*) a special constituency, unless his name is registered on the electoral roll of the constituency.

2. For the purposes of these rules—

(*a*) 'general constituency' means a Mahratta, non-Muhammadan, Muhammadan or European constituency; and

(*b*) 'special constituency' means a Landholders', University, or Commerce and Industry constituency.

The right to elect.

General conditions of registration and disqualifications.

V. Every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications hereinafter set out, namely:—

(*a*) is not a British subject; or
(*b*) is a female; or
(*c*) has been adjudged by a competent court to be of unsound mind; or
(*d*) is under 21 years of age:

Provided that the local Government may direct that, subject to such conditions as it may prescribe, a Ruler of any State in India or the Rulers of any such States or a subject of any such State or any class of such subjects shall not be disqualified for registration by reason only of not being a British subject or British subjects:

Provided further that, if a resolution is passed by the Council recommending that the sex disqualification for registration should be removed either in respect of women generally or any class of women, the local Government shall make regulations providing that women or a class of women, as the case may be, shall not be disqualified for registration by reason only of their sex:

Provided further that no person shall be entitled to have his name registered on the electoral roll of more than one general constituency.

Qualifications of electors.

VI. (*1*) The qualifications of an elector for a general constituency shall be such qualifications based on—

(*i*) community,
(*ii*) residence, and
(*iii*) (*a*) occupation of a building, or
  (*b*) assessment to income-tax, or
  (*c*) receipt of a military pension, or
  (*d*) the holding of land, or
  (*e*) receipt of wages,

as are specified in Schedule II to these rules in the case of that constituency.

(2) The qualifications of an elector for a special constituency shall be the qualifications specified in Schedule II to these rules in the case of that constituency.

Electoral roll.

VII. (1) An electoral roll shall be prepared for every constituency, on which shall be entered the names of all persons appearing to be entitled to be registered as electors for that constituency. It shall be published in the constituency together with a notice specifying the mode in which and the time within which any person whose name is not entered in the roll and who claims to have it inserted therein, or any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person on the roll, may prefer a claim or objection to the Revising Authority.

(2) Subject to the provisions of these rules, the local Government shall make regulations providing for—

(1) the authority by whom the electoral roll shall be prepared and the particulars to be contained in the roll;

(2) the time at which the roll shall be prepared;

(3) the publication of the roll in such manner and in such language as to give it wide publicity in the constituency to which it relates;

(4) the mode in which and the time within which claims and objections may be preferred;

(5) the constitution and appointment of Revising Authorities to dispose of claims and objections;

(6) the manner in which notices of claims or objections shall be published;

(7) the place, date, and time at which and the manner in which claims or objections shall be heard;

and may make such regulations to provide for other matters incidental or ancillary to the preparation and revision of the roll as it may consider desirable. Such regulations may be made as to rolls generally or any class of rolls or any particular roll.

(3) The orders made by the Revising Authority shall be final, and the electoral roll shall be amended in accordance therewith and shall, as so amended, be republished in such manner as the local Government may prescribe.

(4) The electoral roll shall come into force from the date of such republication, and shall continue in force for a period of three years or for such less period as the local Government may by regulation prescribe, and after the expiration of such period a fresh roll shall be prepared in accordance with these rules.

(5) If a constituency is called upon to elect a member or members after an electoral roll has ceased to have force and before the completion of the new electoral roll, the old electoral roll shall for the purposes of that election continue to operate as the electoral roll for the constituency.

Right to vote.

VIII. Every person registered on the electoral roll for the time being in force for any constituency shall, while so registered, be entitled to vote at an election of a member or members for that constituency: provided that no person shall vote in more than one general constituency.

Nomination of candidates.

IX. (1) Any person may be nominated as a candidate for election in any constituency for which he is eligible for election under these rules.

(2) On or before the date on which a candidate is nominated the candidate shall make in writing and sign a declaration appointing either himself or some other person to be his agent for the election, and no candidate shall be deemed to be duly nominated unless such declaration has been made.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

Election.

X. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature before such time as the local Government may fix in this behalf exceeds that of the vacancies, a poll shall be taken:

Provided that, if a seat is reserved and of such candidates one only is a Mahratta, that candidate shall be declared to be elected, and a poll shall only be taken if any vacancy thereafter remains to be filled.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be elected, and the Governor shall, by a notification in the local official Gazette, call for fresh nominations for the remaining vacancies, and if any such are received shall call upon the constituencies concerned to elect members to fill these vacancies.

(4) Votes shall be given by ballot and in general and Landholders' constituencies in person. No votes shall be received by proxy.

(5) In plural-member constituencies every elector shall have as many votes as there are members to be elected, and shall be entitled to accumulate all of them upon one candidate or to distribute them amongst the candidates as he pleases.

(6) Votes shall be counted by the Returning Officer, and any candidate, or, in the absence of the candidate, a representative duly authorised by him in writing shall have a right to be present at the time of counting.

(7) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given, to be elected :

Provided that if a seat is reserved, the Returning Officer shall first declare to be elected the Mahratta candidate to whom the largest number of votes has been given.

(8) Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(9) The Returning Officer shall without delay report the result of the election to the Secretary to the Council, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

Government to make regulations regarding the conduct of elections.

XI. (1) Subject to the provisions of these rules, the local Government shall make regulations providing for—

(1) the form and manner in, and the conditions on, which nominations may be made, and for the scrutiny of nominations ;

(2) the appointment of a Returning Officer for each constituency and for his powers and duties ;

(3) in the case of general and Landholders' constituencies, the division of the constituencies into polling areas in such manner as to give all electors such reasonable facilities for voting as are practicable in the circumstances, and the appointment of polling stations for these areas ;

(4) the appointment of officers to preside at polling stations, and the duties of such officers ;

(5) the checking of voters by reference to the electoral roll ;

(6) the manner in which votes are to be given, and for special provision in this respect in the case of illiterate voters, or voters under physical or other disability ;

(7) the procedure to be followed in respect of tender of votes by persons representing themselves to be electors after other persons have voted as such electors ;

(8) the scrutiny of votes ;

(9) the safe custody of ballot papers and other election papers, the period for which such papers shall be preserved, and for the inspection and production of such papers ;

and may make such other regulations regarding the conduct of elections as it thinks fit.

(2) In the exercise of the foregoing power regulations may be made as to elections generally or any class of elections or in regard to constituencies generally or any class of constituency or any particular constituency.

Multiple elections.

XII. (1) If any person is elected by a constituency of the Council and by a constituency of either chamber of the Indian legislature, the election of such person to the Council shall be void and the Governor shall call upon the constituency concerned to elect another person.

(2) If any person is elected either by more than one constituency of the Council or by a constituency of the Council and a constituency of the Legislative Council of another Governor's province, he shall, by notice in writing signed by him and delivered to the Secretary to the Council or the Secretaries to both Councils as the case may be, within seven days from the date of the publication of the result of such election in the local official Gazette, choose for which of these constituencies he shall serve, and the choice shall be conclusive.

(3) When any such choice has been made, the Governor shall call upon the constituency or constituencies for which such person has not chosen to serve to elect another person or persons.

(4) If the candidate does not make the choice referred to in sub-rule (2) of this rule, the elections of such person shall be void and the Governor shall call upon the constituency or constituencies concerned to elect another person or persons.

Nominated Members.

General disqualifications for nomination.

XIII. (1) No person shall be nominated to the Council who—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) is already a member of the Council or of any other legislative body constituted under the Act; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court; or

(*e*) has been adjudged by a competent court to be of unsound mind; or

(*f*) is under 25 years of age; or

(*g*) is an undischarged insolvent; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part.

Provided that the local Government may direct that, subject to such conditions as it may prescribe, a Ruler of any State in India or the Rulers of any such States or a subject of any such State or any class of such subjects shall not be disqualified for nomination by reason only of not being a British subject or British subjects:

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the local Government in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for nomination for five years from the date of the expiration of the sentence.

Term of office of nominated member.

XIV. (1) A nominated non-official member shall hold office for the duration of the Council to which he is nominated.

(2) Official members shall hold office for the duration of the Council to which they are nominated or for such shorter period as the Governor may, at the time of nomination, determine.

Obligation to take oath.

Taking of oath.

XV. Every person who is elected or nominated to be a member of the Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown in the following form, namely :—

I, A. B. having been $\frac{\text{elected}}{\text{nominated}}$ a member of this Council do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter.

Vacation of seat.

Effect of subsequent disabilities or failure to take oath.

XVI. (1) If any person having been elected or nominated subsequently becomes subject to any of the disabilities stated in clauses (*a*), (*d*), (*e*), (*g*) and (*h*) of sub-rule (1) or in sub-rule (2) of rule III or of rule XIII, as the case may be, or fails to make the oath or affirmation prescribed by rule XV within such time as the Governor considers reasonable, the Governor shall, by notification in the local official Gazette, declare his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the constituency concerned to elect another person within such time as may be prescribed by the notification, or shall nominate another person, as the case may be.

Casual vacancies.

XVII. (1) When a vacancy occurs in the case of an elected member by reason of his election being declared void, or by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, the Governor shall, by notification in the local official Gazette, call upon the constituency concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) If a vacancy occurs in the case of a nominated member, the Governor shall nominate to the vacancy a person having the necessary qualification under these rules.

First constitution of the Council.

Constitution of Council.

XVIII. (1) As soon as conveniently may be after these rules come into force a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification in the local official Gazette, call upon the constituencies referred to in rule II to elect members in accordance with these rules within such time as may be prescribed by such notification, and shall make such nominations as may be necessary to complete the Council before the date fixed for its first meeting.

(3) If any difficulty arises as to the preparation or publication of the first electoral roll or the holding of the first elections after the commencement of these rules, the local Government may by order do any matter or thing which appears to it necessary for the proper preparation or publication of the roll or for the proper holding of the elections.

General Elections.

Reconstitution of Council.

XIX. (1) On the expiration of the duration of a Council or on its dissolution, a general election shall be held in order that a new Council may be constituted.

(2) On such expiration or dissolution, the Governor shall, by notification in the local official Gazette, call upon the constituencies referred to in rule II to elect members in accordance with these rules within such time after the date of expiration or dissolution as may be prescribed by such notification :

Provided that, if the Governor thinks fit, such notification may be issued at any time not being more than three months prior to the date on which the duration of the Council would expire in the ordinary course of events.

(3) Before the date fixed for the first meeting of the Council, the Governor shall make such nominations as may be necessary to complete the Council.

Publication of result of election.

XX. As soon as may be after the expiration of the time fixed for the election of members at any election, the names of the members elected for the various constituencies at such election shall be notified in the local official Gazette.

SCHEDULE. I.

I.—List of Constituencies.

Name of Constituency.	Class of Constituency.	Extent of Constituency.	Number of members.	Reserved seats.
Bombay City (North) ...	Non-Muhammadan Urban.	Municipal wards A, C and D ...	3	1
Bombay City (South) ...	Ditto ...	Municipal wards B, E, F and G ...	3	1
Karáchi City ...	Ditto ...	The municipal district of Karáchi, the cantonments of Karáchi and Manora and the limits of the Karáchi Port Trust.	1	...
Ahmedabad City ...	Ditto ...	The municipal district of Ahmedabad, the cantonment of Ahmedabad and the notified areas contiguous to the City of Ahmedabad.	1	...
Surat City ...	Ditto ...	The municipal district of Surat ...	1	...
Sholápur City ...	Ditto ...	The municipal district of Sholápur ...	1	...
Poona City ...	Ditto ...	The municipal district of Poona, the suburban municipal district of Poona, and the cantonments of Poona and Kirkee.	1	...
Ahmedabad District ...	Non-Muhammadan Rural.	The District of Ahmedabad, excluding the municipal district of Ahmedabad and the Ahmedabad cantonment and notified areas contiguous to the City of Ahmedabad.	2	...
Broach District ...	Ditto ...	Broach District ...	1	...
Kaira District ...	Ditto ...	Kaira District ...	2	...
Panch Maháls District ...	Ditto ...	Panch Maháls District ...	1	...
Surat District ...	Ditto ...	Surat District, excluding the municipal district of Surat.	2	...

Name of Constituency.	Class of Constituency.	Extent of Constituency.	Number of members.	Reserved seats.
Thána District ...	Non-Muhammadan Rural.	Thána District ...	2	1
Ahmednagar District ...	Ditto ...	Ahmednagar District ...	2	1
East Khándesh District ...	Ditto ...	East Khándesh District ...	3	...
Násik District ...	Ditto ...	Násik District ...	2	1
Poona District ...	Ditto ...	Poona District, excluding the municipal district of Poona, the suburban municipal district of Poona and the cantonments of Poona and Kirkee.	2	1
Satára District ...	Ditto ...	Sátára District ...	3	...
Belgaum District ...	Ditto ...	Belgaum District ...	2	...
Bijápur District ...	Ditto ...	Bijápur District ...	1	...
Dhárwár District ...	Ditto ...	Dhárwár District ...	2	...
Kánara District ...	Ditto ...	Kánara District ...	1	...
Ratnágiri District ...	Ditto ...	Ratnágiri District ...	2	1
Eastern Sind ...	Ditto ...	Hyderabad, Thar and Parkar and Nawábshah District.	1	...
Western Sind ...	Ditto ...	Karáchi, Larkana, Sukkur and the Upper Sind Frontier Districts, excluding the municipal district of Karáchi and the cantonments of Karáchi and Manora and the Port Trust limits.	1	...
*Sholápur District ...	Ditto ...	Sholápur District, excluding the municipal district of Sholápur.	1	...
*Kolába District ...	Ditto ...	Kolába District ...	1	...
*West Khándesh District...	Ditto ...	West Khándesh District ...	1	...
Bombay City (Muhammadan).	Muhammadan Urban ...	The City of Bombay ...	2	...
Karáchi City (Muhammadan).	Ditto ...	The municipal district of Karáchi and the cantonments of Karáchi and Manora and the Port Trust limits.	1	...
Ahmedabad and Surat Cities (Muhammadan).	Ditto ...	The municipal districts of Ahmedabad and Surat and the cantonment of Ahmedabad and the contiguous notified areas.	1	...
Poona and Sholápur Cities (Muhammadan).	Ditto ...	The municipal districts of Poona and Sholápur, the suburban municipal district of Poona and the cantonments of Poona and Kirkee.	1	...
The Northern Division (Muhammadan).	Muhammadan Rural ...	The Districts of Ahmedabad, Kaira, Broach, Panch Mahals, Surat and Thána, excluding the municipal districts of Ahmedabad and Surat and the cantonment of Ahmedabad and the notified areas contiguous to Ahmedabad.	3	...
The Central Division (Muhammadan).	Ditto ...	The Districts of East and West Khándesh, Poona, Násik, Sátára, Sholápur and Ahmednagar, excluding the municipal districts of Poona and Sholápur, the suburban municipal district of Poona and the cantonments of Poona and Kirkee.	3	...
The Southern Division (Muhammadan).	Ditto ...	The Districts of Belgaum, Bijápur, Dhárwár, Kanára, Colába and Ratnágiri.	3	...
Hyderabad District (Muhammadan).	Ditto ...	The District of Hyderabad ...	2	...
Karáchi District (Muhammadan).	Ditto ...	The District of Karáchi, excluding the municipal district of Karáchi and the cantonments of Karáchi and Manora and the Karáchi Port Trust limits.	2	...

*NOTE.—The Sholápur District, the Kolába District, and the West Khándesh District constituencies elect a Mahrátta member to the first, second and third Councils respectively under part IV of this Schedule and to succeeding Councils in the same rotation.

Name of Constituency.	Class of Constituency.	Extent of Constituency.	Number of members.	Reserved seats.
Lárkána District (Muhammadan).	Muhammadan Rural ...	The District of Lárkána ...	3	...
Sukkur District (Muhammadan).	Ditto ...	The District of Sukkur ...	2	...
Thar and Párkar (Muhammadan).	Ditto ...	The Districts of Thar and Párkar ...	2	...
Nawábshah District (Muhammadan).	Ditto ...	The District of Nawábshah ...	1	...
Upper Sind Frontier District (Muhammadan).	Ditto ...	The District of the Upper Sind Frontier.	1	...
Bombay City (European)...	European	The City of Bombay	1	...
Presidency (European) ...	Ditto	The Presidency of Bombay (excluding the City of Bombay and Aden).	1	...
Deccan Sardars ...	Landholders... ...	(Non-territorial)	1	...
Gujarat Sardars ...	Ditto	Ditto	1	...
Jagirdars and Zamindars (Sind)	Ditto	Ditto	1	...
Bombay University ...	University	Ditto	1	...
Bombay Chamber of Commerce.	Commerce and Industry...	Ditto	2	...
Karáchi Chamber of Commerce.	Ditto ...	Ditto	1	...
Bombay Trades Association	Ditto ...	Ditto	1	...
Bombay Millowners' Association.	Ditto ...	Ditto	1	...
Ahmedabad Millowners' Association.	Ditto ...	Ditto	1	...
Indian Merchants' Chamber and Bureau.	Ditto ...	Ditto	1	...

II. In interpreting this Schedule references to a district, municipal district or cantonment shall be deemed to be references to the district, municipal district or cantonment as constituted for the time being under the Bombay Land Revenue Code, 1879, the Bombay District Municipal Act, 1901, and the Cantonments Act, 1910, respectively.

III. No seat shall be deemed to be a reserved seat within the meaning of this Schedule for the purposes of any election if the constituency is already represented by a Mahrátta member or if there is no Mahrátta candidate.

IV. The Sholápur District constituency shall, for the purposes of the general election to the first Council and of all bye-elections occurring during the continuance of that Council, be a Mahrátta constituency, and the Kolába District constituency shall be a Mahrátta constituency for the purposes of the second Council and of all bye-elections occurring during the continuance of that Council, and the West Khándesh District constituency shall be a Mahrátta constituency for the purposes of the third Council and of all bye-elections occurring during the continuance of the third Council, and thereafter those constituencies shall, in the like rotation, be Mahrátta constituencies for the purposes of elections to succeeding Councils.

SCHEDULE II.

QUALIFICATIONS OF ELECTORS.

Definitions.

1. In this Schedule—

(a) 'a European' means every person of European descent in the male line being a British subject and resident in British India, who either was born in or has a domicile in the British Isles, Canada, Newfoundland, Australia, New Zealand or the Union of South Africa, or whose father was so born or has or had up to the date of the birth of the person in question such a domicile;

(b) 'holder' means a person lawfully in possession of land whether such possession is actual or not;

(c) 'publication of the electoral roll' means the first publication under these rules of the electoral roll for the time being under preparation;

(d) 'tenant' means a lessee whether holding under an instrument or under an oral agreement, and includes a mortgagee of a tenant's rights with possession.

General Constituencies.

Non-Muhammadan Urban Constituencies.

2. In a Mahratta or non-Muhammadan urban constituency every person shall be qualified as an elector who is neither a Muhammadan nor a European and who, on the 1st day of April next preceding the date of publication of the electoral roll, had a place of residence within the constituency or, in the case of a Bombay City constituency, within the limits of the said city or within the limits of the taluka of Salsette, or, in the case of any other urban constituency, within two miles of the boundary thereof, and who—

(a) on the 1st day of April aforesaid occupied, as owner or tenant, in such constituency, a house or building, or part of a house or building separately occupied, as a dwelling or for the purpose of any trade, business or profession,—

(i) of which the annual rental value was not less than Rs. 120 in the case of a Bombay City constituency, and not less than Rs. 60 in the case of the Karachi City constituency, or

(ii) in any other urban constituency, where any tax is based on the annual rental value of houses or buildings, of which the annual rental value was not less than Rs. 36; or, if no tax so based is levied, of which the capital value was not less than Rs. 1,500; or

(b) was assessed to income-tax in the financial year preceding that in which the publication of the electoral roll takes place; or

(c) is a retired and pensioned officer (whether commissioned or non-commissioned) of His Majesty's regular forces; or

(d) in the case of a Bombay City constituency, is in receipt of a monthly wage of not less than Rs. 40 on account of employment as a manual worker in a textile factory which is situate within the City of Bombay and which is a factory as defined in the Indian Factories Act, 1911; or

(e) on the 1st day of January next preceding the date of publication of the electoral roll, held a qualification in respect of land within the constituency which, if held within the nearest rural constituency, would qualify him as an elector for such constituency.

Non-Muhammadan Rural Constituencies.

3. In a Mahratta or non-Muhammadan rural constituency every person shall be qualified as an elector who is neither a Muhammadan nor a European and who, on the 1st day of January next preceding the date of publication of the electoral roll, had a place of residence within the constituency or within a contiguous constituency of the same communal description, and who—

(a) (i) in the case of any constituency in Sind, on the 1st day of January aforesaid held in his own right or occupied as a permanent tenant or as a lessee from Government alienated or unalienated land in such constituency on which, in any one of the five revenue years preceding the publication of the electoral roll, an assessment of not less than Rs. 16 land revenne in the Upper Sind Frontier constituency and of not less than Rs. 32 land revenue in any other constituency has been paid or would have been paid if the land had not been alienated, or

(ii) in the case of any other constituency, on the 1st day of January aforesaid held in his own right or occupied as a tenant in such constituency alienated or unalienated land assessed at or of the assessable value of not less than Rs. 16 land revenue in the Panch Mahals or Ratnagiri districts and not less than Rs. 32 land revenue elsewhere; or

(b) on the 1st day January aforesaid was the alienee of the right of Government to the payment of rent or land revenue, amounting to Rs. 16 in the Panch Mahals or Ratnagiri Districts and Rs. 32 elsewhere, leviable in respect of land so alienated and situate within the constituency, or was a khot or a sharer in a khoti village in the constituency or a sharer in a bhagdari or narvadari village in the constituency, responsible for the payment of Rs. 16 land revenue in the Panch Mahals or Ratnagiri Districts and Rs. 32 land revenue elsewhere; or

(c) was assessed to income-tax in the financial year preceding that in which the publication of the electoral roll takes place; or

(d) is a retired and pensioned officer (whether commissioned or non-commissioned) of His Majesty's regular forces; or

(e) in any municipal district, cantonment or notified area in the constituency, on the 1st day of April next preceding the date of publication of the electoral roll, occupied, as owner or tenant, a house or building, or part of a house or building separately occupied, as a dwelling or for the purpose of any trade, business or profession,—

(i) of which the annual rental value was not less than Rs. 36 in a constituency in Sind; or

(ii) in any other constituency, if in such municipal district, cantonment or notified area a tax is based on the annual rental value of houses or buildings, of which the annual rental value was not less than Rs. 24 in the Panch Mahâls or Ratnâgiri Districts and not less than Rs. 36 elsewhere; or, if no tax so based is levied, of which the capital value was not less than Rs. 1,000 in the Panch Mahâls and Ratnâgiri Districts and not less than Rs. 1,500 elsewhere.

Explanation.—For the purposes of the residential qualification required by this paragraph Mahratta and non-Muhammadan constituencies shall be deemed to be constituencies of the same communal description.

Muhammadan Urban Constituencies.

4. In a Muhammadan urban constituency every person shall be qualified as an elector who is a Muhammadan and save in that respect has the qualification prescribed for an elector of a non-Muhammadan urban constituency.

Muhammadan Rural Constituencies.

5. In a Muhammadan rural constituency every person shall be qualified as an elector who is a Mahammadan and save in that respect has the qualification prescribed for an elector of a non-Muhammadan rural constituency.

European Constituencies.

6. (1) In the Bombay City (European) constituency every person shall be qualified as an elector who is a European and save in that respect has the qualification prescribed for an elector of a Bombay City non-Muhammadan constituency.

(2) In the Presidency (European) constituency every person shall be qualified as an elector who is a European and who save in that respect has the qualification prescribed for an elector of a non-Muhammadan urban, other than a Bombay City, constituency or of a non-Muhammadan rural constituency according as he has a place of residence within a non-Muhammadan urban or rural constituency.

Special Constituencies.

Landholders' Constituencies.

7. (1) In the constituency of the Deccan Sardars and Inamdars a person shall be qualified as an elector whose name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd July 1867, or who, on the 1st day of January next preceding the date of publication of the electoral roll, was the sole alienee of the right of Government to the payment of rent or land revenue in respect of an entire village situate within the constituency.

(2) In the constituency of the Gujarat Sardars and Inamdars a person shall be qualified as an elector whose name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st September 1909, or who on the 1st day of January next preceding the date of publication of the electoral roll, was the sole alienee of the right of Government to the payment of rent or land revenue in respect of an entire village situate within the constituency.

(3) In the constituency of the Jagirdars and Zamindars (Sind) a person shall be qualified as an elector who is a jagirdar of the first or second class in Sind, or who in each of the three revenue years preceding the publication of the electoral roll has paid not less than Rs. 1,000 land revenue on land situate in any district in Sind.

University Constituency.

8. In the constituency of the Bombay University a person shall be qualified as an elector who, on the 1st day of April next preceding the date of publication of the electoral roll, had a place of residence in the Bombay Presidency (excluding Aden) and was a member of the Senate or an honorary Fellow of the University or a graduate of the University of seven years' standing.

Commerce and Industry Constituencies.

9. In a Commerce and Industry constituency a person shall be qualified as an elector if his name is entered in the list of members, for the time being in force, of the association forming such constituency.

Miscellaneous.

Joint families.

10. Where any property is held or occupied or payment is made or received jointly by the members of a joint family, the family shall, if the majority of the members thereof are not subject to any of the disqualifications specified in rule V of these rules, be adopted as a unit for diciding whether under the provisions of this Schedule the requisite qualification exists; and, if it does exist, the manager of the family only shall be qualified as an elector in respect of such property or payment.

11. No person holding or occupying any property or making or receiving any payment in a fiduciary capacity shall be qualified as an elector for any constituency in respect of such property or payment. Trustees.

12. The value of any machinery, furniture or equipment contained in, or situate upon, any house or building shall not be included in estimating the rental or capital value of such house or building. Rental and Capital value.

13. A person who occupies any dwelling-house, other than a military or police barrack, by virtue of any office, service or employment shall, if the dwelling-house is not inhabited by the person in whose service he is in such office, service or employment, be deemed to occupy the dwelling-house as a tenant. Service tenure.

14. The average rate of assessment on assessed land in a village or, if there is no such land in the village, the average rate of assessment on assessed land in the nearest village containing such land shall be taken as the rate for calculating the assessable value of unassessed land in such village. Unassessed land.

15. For the purpose of deciding any claim to be registered in respect of any assessment, payment of rent or land revenue, rental value, capital value or payment of income-tax, an entry in any revenue record or in the record of any municipal district or cantonment or notified area or in the records of the Municipal Corporation of the City of Bombay, stating the amount of such assessment, payment or value, shall be conclusive proof of the amount of such assessment, payment or value. Revenue etc., record conclusive proof.

(Signed) S. P. O'DONNELL,
Secretary to the Government of India."

By order of His Excellency the Honourable the Governor in Council,

C. N. SEDDON,
Additional Secretary to Government (Reforms).

Mahableshwar, 22nd May 1920.

No. 929-*R.C.*—The following notifications of the Government of India are re-published for general information :—

" No. 49-1-*F.*, dated Simla, the 11th May 1920.

The following rules relating to the Legislative Assembly and the Council of State, which have been made under sections 63A (1), 63B (1) and (2) and 64 (1) (*a*), (*b*), (*c*) (*d*), (*e*) and (*f*) of the Government of India Act and submitted for the sanction of the Secretary of State in Council, are published for general information :—

Composition of Legislative Assembly.

I. The Legislative Assembly shall consist of—

(1) one hundred and two elected members, and

(2) forty-one members nominated by the Governor General, of whom not more than twenty-six may be officials, and one shall be a person nominated as the result of an election held in Berar.

Elected Members.

Constituencies.

II. The elected members shall be elected by the constituencies specified in Schedule I to these rules subject to the provisions of that Schedule in regard to constituencies entitled to elect in rotation, and the number of member to be elected by each constituency shall be as stated therein against that constituency.

General disqualifications for being elected.

III. (1) A person shall not be eligible for election as a Member of the Legislative Assembly if such person—

(*a*) is not a British subject ; or

(*b*) is a female ; or

(*c*) is already a member of any legislative body constituted under the Act ; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court ; or

(*e*) has been adjudged by a competent court to be of unsound mind ; or

(*f*) is under 25 years of age ; or

(*g*) is an undischarged insolvent ; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part :

Provided that, if the Ruler of a State in India or any subject of such a State is not ineligible for election to the Legislative Council of a province, such Ruler or subject shall not by reason of not being a British subject be ineligible for election to the Legislative Assembly by any constituency in that province :

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the Governor General in Council in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for election for five years from the date of the expiration of the sentence.

(3) A person who has been convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months or has been reported by Commissioners holding an election inquiry as guilty of a corrupt practice as specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, shall not be eligible for election for five years from the date of such conviction or of the finding of the Commissioners, as the case may be ; and a person reported by such Commissioners to be guilty of any other corrupt practice shall be similarly disqualified for three years from such date.

(4) A person who having been a candidate or an election agent at an election has failed to lodge the return of election expenses hereinafter prescribed or has lodged a return which is found either by Commissioners holding an election inquiry or by a Magistrate in a judicial proceeding to be false in any material particular shall be disqualified for five years from the date of the election from being nominated as a candidate at any other election :

Provided that either of the disqualifications mentioned in sub-rules (3) and (4) of this rule may be removed by an order of the Governor General in Council in that behalf.

Special qualifications for election in case of certain constituencies.

IV. (1) A person shall not be eligible for election as a Member of the Legislative Assembly to represent—

(a) a general constituency in the presidency of Madras or in the presidency of Bengal, unless his name is registered on the electoral roll of the constituency or of another constituency of the same communal description situate in the same presidency; or

(b) a general constituency in the presidency of Bombay, unless his name is registered on the electoral roll of the constituency and he has resided in the constituency for a period of six months prior to the first day of January in the year in which the constituency is called upon to elect a member or members: provided that a candidate eligible for election in any such constituency shall be eligible for election in a constituency of the same communal description if the whole or part of either constituency is included in the same district; or

(c) a general constituency in the province of Bihar and Orissa or in the province of Assam, unless his name is registered on the electoral roll of the constituency or of any other general constituency in the same province; or

(d) a Muhammadan or non-Muhammadan constituency in the United Provinces of Agra and Oudh, unless his name is registered on the electoral roll of a Muhammadan or non-Muhammadan constituency in that province; or

(e) a general constituency in the Punjab or in the Central Provinces or a European constituency in the United Provinces of Agra and Oudh or a constituency in the Province of Burma or any special constituency, unless his name is registered on the electoral roll of the constituency.

(2) For the purposes of these rules—

(a) 'general constituency' means a non-Muhammadan, Muhammadan, European, non-European, or Sikh constituency; and

(b) 'special constituency' means a Landholders' or Indian Commerce constituency.

The right to elect.

General conditions of registration and disqualifications.

V. (1) Every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications hereinafter set out, namely:—

(a) is not a British subject; or

(b) is a female; or

(c) has been adjudged by a competent court to be of unsound mind; or

(d) is under 21 years of age:

Provided that, if the Ruler of a State in India or any subject of such a State is not disqualified for registration on the electoral roll of a constituency of the Legislative Council of a province, such Ruler or subject shall not by reason of not being a British subject be disqualified for registration on the electoral roll of any constituency of the Legislative Assembly in that province:

Provided further that, if a resolution is passed by the Legislative Assembly recommending that the sex disqualification for registration should be removed either in respect of women generally or any class of women, the Governor General in Council shall make regulations providing that women or a class of women, as the case may be, shall not be disqualified for registration by reason only of their sex:

Provided further that no person shall be entitled to have his name registered on the electoral roll of more than one general constituency.

(2) If any person is convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months or is reported by the Commissioners holding an election inquiry as guilty of a corrupt practice as specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, his name, if on the electoral roll, shall be removed therefrom and shall not be registered thereon for a period of five years from the date of the conviction or the report, as the case may be, or if not on the electoral roll, shall not be so registered for a like period; and if any person is reported by such Commissioners as guilty of any other corrupt practice as specified in the said Schedule, his name, if on the electoral roll, shall be removed therefrom and shall not be registered thereon for a period of three years from the date of the report or, if not on the electoral roll, shall not be registered for a like period:

Provided that the Governor General in Council may direct that the name of any person to whom this sub-rule applies shall be registered on the electoral roll.

Qualifications of electors.

VI. (1) The qualifications of an elector for a general constituency shall be such qualifications based on—

- (i) community,
- (ii) residence, and
- (iii) (a) ownership or occupation of a building, or
  - (b) assessment to or payment of municipal or cantonment rates or taxes or local cesses; or
  - (c) assessment to or payment of income tax; or
  - (d) the holding of land,

as are specified in Schedule II to these rules in the case of that constituency.

(2) The qualifications of an elector for a special constituency shall be the qualifications specified in Schedule II to these rules in the case of that constituency.

Electoral roll.

VII. (1) An electoral roll shall be prepared for every constituency, on which shall be entered the names of all persons appearing to be entitled to be registered as electors for that constituency. It shall be published in the constituency together with a notice specifying the mode in which and the time within which any person whose name is not entered in the roll and who claims to have it inserted therein, or any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person on the roll, may prefer a claim or objection to the Revising Authority.

(2) The regulations for the time being in force in any province for the purpose of elections to the Legislative Council of that province in regard to the following matters, namely,—

(1) the authority by whom the electoral roll shall be prepared and the particulars to be contained in the roll,

(2) the time at which the roll shall be prepared,

(3) the publication of the roll in the constituency to which it relates,

(4) the mode in which and the time within which claims and objections may be preferred,

(5) the constitution and appointment of Revising Authorities to dispose of claims and objections,

(6) the manner in which notices of claims or objections shall be published,

(7) the place, date, and time at which and the manner in which claims or objections shall be heard,

shall apply for the purpose of the holding of elections within that province to the Legislative Assembly:

Provided that the Governor General in Council may, by notification in the *Gazette of India*, direct that such modifications and adaptations as he may specify shall be made in the application of those regulations.

(3) The orders made by the Revising Authority shall be final, and the electoral roll shall be amended in accordance therewith and shall, as so amended, be republished in the case of each province in such manner as may be prescribed by the regulations aforesaid for the republication of electoral rolls of constituencies of the Legislative Council.

(4) The electoral roll shall come into force from the date of such republication, and shall continue in force for a period of three years or for such less period as the Governor General in Council may by regulation prescribe, and after the expiration of such period a fresh roll shall be prepared in accordance with these rules.

(5) If a constituency is called upon to elect a member or members after an electoral roll has ceased to have force and before the completion of the new electoral roll, the old electoral roll shall for the purposes of that election continue to operate as the electoral roll for the constituency.

Right to vote.

VIII. Every person registered on the electoral roll for the time being in force for any constituency shall while so registered be entitled to vote at an election of a member or members for that constituency: provided that no person shall vote in more than one general constituency.

Nomination of candidates.

IX. (1) Any person may be nominated as a candidate for election in any constituency for which he is eligible for election under these rules.

(2) On or before the date on which a candidate is nominated, the candidate shall make in writing and sign a declaration appointing either himself or some other person who is not disqualified under these rules for the appointment to be his election agent, and no candidate shall be deemed to be duly nominated unless such declaration has been made.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

Election.

X. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature before such time as the Governor General in Council may fix in this behalf exceeds that of the vacancies, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be elected, and the Governor General shall, by a notification in the *Gazette of India*, call for fresh nominations for the remaining vacancies, and if any such are received shall call upon the constituencies concerned to elect members to fill these vacancies.

(4) Votes shall be given by ballot and in general and Landholders' constituencies in person. No votes shall be received by proxy.

(5) In plural-member constituencies every elector shall have as many votes as there are members to be elected: provided that no elector shall give more than one vote to any one candidate except in the case of the plural-member constituencies in the presidency of Bombay, in which constituencies any elector may accumulate his votes upon one candidate or distribute them amongst the candidates as he pleases.

(6) Votes shall be counted by the Returning Officer, and any candidate, or, in the absence of the candidate, a representative duly authorised by him in writing, shall have a right to be present at the time of counting.

(7) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected.

(8) Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(9) The Returning Officer shall without delay report the result of the election to the Secretary to the Government of India in the Legislative Department, and the name or names of the candidate or candidates elected shall be published in the *Gazette of India*.

Regulations regarding the conduct of elections.

XI. The regulations for the time being in force in any province for the purpose of elections to the Legislative Council of that province in regard to the following matters, namely,—

(1) the form and manner in, and the conditions on, which nominations may be made, and for the scrutiny of nominations,

(2) the appointment of a Returning Officer for each constituency and for his powers and duties,

(3) the division of general and Landholders' constituencies into polling areas and the appointment of polling stations for these areas,

(4) the appointment of officers to preside at polling stations, and the duties of such officers,

(5) the checking of voters by reference to the electoral roll,

(6) the manner in which votes are to be given, both generally and in the case of illiterate voters or voters under physical or other disability,

(7) the procedure to be followed in respect of tender of votes by persons representing themselves to be electors after other persons have voted as such electors,

(8) the scrutiny of votes,

(9) the safe custody of ballot papers and other election papers, the period for which such papers shall be preserved, and the inspection and production of such papers, and

(10) the conduct of elections generally,

shall apply for the purpose of the holding of elections within that province to the Legislative Assembly:

Provided that the Governor General in Council may, by notification in the *Gazette of India*, direct that such modifications and adaptations as he may specify shall be made in the application of those regulations.

Multiple elections.

XII. (1) If any person is elected by more than one constituency, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of India in the

Legislative Department within seven days from the date of the publication of the result of such election in the *Gazette of India*, choose for which of these constituencies he shall serve, and the choice shall be conclusive.

(2) When any such choice has been made, the Governor General shall call upon any constituency or constituencies for which such person has not chosen to serve to elect another person or persons.

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void and the Governor General shall call upon the constituency or constituencies concerned to elect another person or persons.

Election agents and expenses.

Disqualification for being an election agent.

XIII. No person shall be appointed an election agent who is himself ineligible for election as being subject to the disqualification mentioned in sub-rule (3) of rule III.

Return of election expenses.

XIV. (1) Within one month or such longer period as the Governor General may allow after the date of the declaration of the result of the election every candidate, either personally or through his election agent, shall cause to be lodged with the Returning Officer a return of his election expenses containing the particulars specified in Schedule III to these rules.

(2) Every such return shall contain a statement of all payments made by the candidate or by his election agent or by any persons on behalf of the candidate or in his interests for expenses incurred on account of or in respect of the conduct and management of the election, and further a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware.

(3) The return shall be accompanied by declarations by the candidate and his election agent which shall be in the form contained in the said Schedule and shall be made on oath or affirmation before a Magistrate.

(4) The Governor General in Council shall cause to be prepared in such manner, and maintained for such time, as he may direct, a record showing the names of all candidates at every election under these rules and the date on which the return of election expenses of each candidate has been lodged with the Returning Officer.

Accounts of agent.

XV. Every election agent shall keep regular books of account in which the particulars of all expenditure of the nature referred to in rule XIV shall be entered, whether such expenditure is incurred by the candidate or by the election agent or by any person under the direction of the candidate or the election agent.

Nominated Members.

General disqualifications or nomination.

XVI. (1) Save as expressly provided in these rules in regard to the nomination of a person elected in Berar, no person shall be nominated to the Legislative Assembly who—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) is already a member of any legislative body constituted under the Act; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court; or

(*e*) has been adjudged by a competent court to be of unsound mind; or

(*f*) is under 25 years of age; or

(*g*) is an undischarged insolvent; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part:

Provided that, if the Ruler of a State in India or any subject of such a State is not disqualified for nomination to the Legislative Council of a province, such Ruler or subject shall not by reason of not being a British subject be disqualified for nomination to the Legislative Assembly to represent that province:

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the Governor General in Council in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for nomination for five years from the date of the expiration of the sentence.

(3) A person who has been convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months or has been reported by Commissioners holding an election inquiry as guilty of a corrupt practice as

specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, shall not be eligible for nomination for five years from the date of such conviction or of the finding of the Commissioners, as the case may be; and a person reported by such Commissioners to be guilty of any other corrupt practice shall be similarly disqualified for three years from such date.

(4) A person who having been a candidate or an election agent at an election has failed to lodge the return of election expenses prescribed in these rules or has lodged a return which is found either by Commissioners holding an inquiry or by a Magistrate in a judicial proceeding to be false in any material particular shall not be eligible for nomination for five years from the date of the election:

Provided that either of the disqualifications mentioned in sub-rules (3) and (4) of this rule may be removed by an order of the Governor General in Council in this behalf.

Term of office of nominated member.

XVII. (1) A nominated non-official member shall hold office for the duration of the Legislative Assembly to which he is nominated.

(2) Official members shall hold office for the duration of the Legislative Assembly to which they are nominated or for such shorter period as the Governor General may, at the time of nomination, determine.

Obligation to take oath.

Taking of oath.

XVIII. Every person who is elected or nominated to be a member of the Legislative Assembly shall before taking his seat make at a meeting of the Legislative Assembly an oath or affirmation of his allegiance to the Crown in the following form, namely:—

I, A. B. having been $\frac{\text{elected}}{\text{nominated}}$ a member of this Assembly do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter.

Vacation of seat.

Effect of subsequent disabilities or failure to take oath.

XIX. If any person having been elected or nominated subsequently becomes subject to any of the disabilities stated in clauses (*a*), (*d*), (*e*), (*g*) and (*h*) of sub-rule (1) or in sub-rules (2), (3) and (4) of rule III or of rule XVI, as the case may be, or fails to make the oath or affirmation prescribed by rule XVIII within such time as the Governor General considers reasonable, the Governor General shall, by notification in the *Gazette of India*, declare his seat to be vacant.

Vacancies.

XX. (1) When a vacancy occurs in the case of an elected member by reason of his election being declared void or his seat being declared vacant, or by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, the Governor General shall, by notification in the *Gazette of India*, call upon the constituency concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) If a vacancy occurs in the case of a nominated member, the Governor General shall nominate to the vacancy a person having the necessary qualification under these rules.

First constitution of the Legislative Assembly.

Constitution of Legislative Assembly.

XXI. (1) As soon as conveniently may be after these rules come into force, a Legislative Assembly shall be constituted in accordance with their provisions.

(2) For this purpose the Governor General shall, by notification in the *Gazette of* India, call upon the constituencies referred to in rule II to elect members in accordance with these rules within such time as may be prescribed by such notification, and shall make such nominations as may be necessary to complete the Legislative Assembly before the date fixed for its first meeting.

(3) If any difficulty arises as to the preparation or publication of the first electoral roll or the holding of the first elections after the commencement of these rules, the Governor General in Council may by order do any matter or thing which appears to him necessary for the proper preparation or publication of the roll or for the proper holding of the elections.

General Elections.

Reconstitution of Legislative Assembly.

XXII. (1) On the expiration of the duration of a Legislative Assembly or on its dissolution, a general election shall be held in order that a new Legislative Assembly may be constituted.

(2) On such expiration or dissolution, the Governor General shall, by notification in the *Gazette of India*, call upon the constituencies referred to in rule II, to elect members in accordance with these rules within such time after the date of expiration or dissolution as may be prescribed by such notification:

Provided that, if the Governor General thinks fit, such notification may be issued at any time not being more than three months prior to the date on which the duration of the Legislative Assembly would expire in the ordinary course of events.

(3) Before the date fixed for the first meeting of the Legislative Assembly, the Governor General shall make such nominations as may be necessary to complete the Legislative Assembly.

Publication of result of general election.

XXIII. As soon as may be after the expiration of the time fixed for the election of members at any general election, the names of the members elected for the various constituencies at such election shall be notified in the *Gazette of India.*

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SCHEDULE I.

(See Rule II.)

I.—List of Constituencies entitled to representation in every Legislative Assembly.

Province.	Name of constituency.	Class of constituency.	Extent of constituency.	No. of members.
Bombay	Bombay City (Non-Mahomedan).	Non-Mahomedan Urban.	The City of Bombay.	2
Do.	Sind (Non-Mahomedan).	Non-Mahomedan Rural.	The Province of Sind.	1
Do.	Bombay Northern Division (Non-Mahomedan).	Do.	The Northern Division.	1
Do.	Bombay Central Division (Non-Mahomedan).	Do.	The Central Division.	2
Do.	Bombay Southern Division (Non-Mahomedan).	Do.	The Southern Division.	1
Do.	Bombay City (Mahomedan).	Mahomedan Urban.	The City of Bombay.	1
Do.	Sind (Mahomedan).	Mahomedan Rural.	The Province of Sind.	1*
Do.	Bombay (European).	European.	The Bombay Presidency.	2
Do.	The Indian Merchants' Chamber and Bureau.	Indian Commerce.	(Non-territorial.)	1

* *Note.*—The Sind (Mahomedan) constituency is entitled to elect a second member for the first, third and succeeding alternate Assemblies under Part III of this Schedule.

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II.—List of Constituencies entitled to representation in rotation.

Bombay	Sind (Mahomedan).	Mahomedan Rural.	The Province of Sind.	1
	Bombay Northern Division (Mahomedan).	Do.	The Northern Division.	
Do.	Bombay Central Division (Mahomedan).	Do.	The Central Division.	1
	Bombay Southern Division (Mahomedan).	Do.	The Southern Division.	
Do.	Sind Jagirdars and Zamindars.	Land-holders.	The Province of Sind.	1
	Gujarat and Deccan Sardars and Inamdars.	Do.	The Bombay Presidency excluding Sind.	
Do.	The Bombay Millowners' Association.	Indian Commerce.	(Non-territorial.)	1
	The Ahmedabad Millowners' Association.	Do.	Do.	

III.—In a case where two constituencies are bracketed together as entitled to elect one member, the constituency first mentioned shall elect to the first Legislative Assembly at the general election and at all bye-elections so long as the first Legislative Assembly continues, and the constituency second mentioned shall elect at the general election to the next Legislative Assembly and at bye-elections in like manner, and thereafter the constituencies shall elect in like manner in rotation to succeeding Legislative Assemblies.

SCHEDULE II.

(See rule VI.)

QUALIFICATIONS OF ELECTORS.

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PART II.—BOMBAY.

Definitions.

1. For the purposes of this Part—

(*a*) "a European" means every person of European descent in the male line being a British subject and resident in British India, who either was born in or has a domicile in the British Isles, Canada, Newfoundland, Australia, New Zealand or the Union of South Africa, or whose father was so born or has or had up to the date of the birth of the person in question such a domicile;

(*b*) "publication of the electoral roll" means the first publication under these rules of the electoral roll for the time being under preparation;

(*c*) "tenant" means a lessee whether holding under an instrument or under an oral agreement, and includes a mortgagee of a tenant's rights with possession;

(*d*) a person is said to hold land when he is lawfully in possession of such land whether such possession is actual or not.

Joint families.

2. Where any property is held or occupied or payment is made or received jointly by the members of a joint family, the family shall, if the majority of the members thereof are not subject to any of the disqualifications specified in rule V of these rules, be adopted as unit for deciding whether under the provisions of this Part the requisite qualification exists; and, if it does exist, the manager of the family only shall be qualified as an elector in respect of such property or payment.

Trustees.

3. No person holding or occupying any property or making or receiving any payment in a fiduciary capacity shall be qualified as an elector for any constituency in respect of such property or payment.

Unassessed land.

4. The average rate of assessment on assessed land in a village or, if there is no such land in the village, the average rate of assessment on assessed land in the nearest village containing such land shall be taken as the rate for calculating the assessable value of unassessed land in such village.

Revenue records, etc., conclusive evidence.

5. For the purpose of deciding any claim to a qualification under this Part, an entry in any revenue record or in the record of any municipal district or cantonment or notified area or in the records of the Municipal Corporation of the City of Bombay, shall be conclusive evidence of the facts stated therein.

General Constituencies.

Non-Muhammadan and Muhammadan Constituencies.

6. A person shall be qualified as an elector for a non-Muhammadan or Muhammadan constituency who, on the first day of January next preceding the date of publication of the electoral roll, had a place of residence within the constituency or within a contiguous constituency of the same communal description and who—

(*a*) in the case of the Sind constituencies, on the first day of January aforesaid held in his own right or occupied as a permanent tenant or as a lessee from Government alienated or unalienated land in such constituency on which, in any one of the five revenue years preceding the publication of the electoral roll, an assessment of not less than Rs. 37-8-0 land revenue in the Upper Sind Frontier district and of not less than Rs. 75 land revenue in any other district has been paid or would have been paid if the land had not been alienated; or

(*b*) in the case of any other constituency, on the 1st day of January aforesaid held in his own right or occupied as a tenant in such constituency alienated or unalienated land assessed at, or of the assessable value of, not less than Rs. 37-8-0 land revenue in the Panch Mahals or Ratnagiri districts and not less than Rs. 75 land revenue elsewhere; or

(c) was assessed to income-tax in the Financial year preceding that in which the publication of the electoral roll takes place :—

Provided that—

(i) no person other than a Muhammadan shall be qualified as an elector for a Muhammadan constituency, and

(ii) no Muhammadan or European shall be qualified as an elector for a non-Muhammadan constituency.

The European Constituency.

7. A person shall be qualified as an elector for the Bombay (European) constituency whose name is registered on the electoral roll of either European constituency of the Legislative Council of the Governor of Bombay.

Special Constituencies.

The Landholders' Constituencies.

8. (1) A person shall be qualified as an elector for the Sind Jagirdars and Zamindars constituency who is a Jagirdar of the first or second class in Sind, or a Zamindar who in the first three revenue years preceding the publication of the electoral roll has paid not less than Rs. 1,000 land revenue on lands situated in any district in Sind.

(2) A person shall be qualified as an elector for the Deccan and Gujarat Sardars and Inamdars constituency whose name is entered in the list for the time being in force under the Resolutions of the Government of Bombay in the Political Department No. 2363, dated the 23rd July 1867, and No. 6265, dated the 21st September 1909, or who on the 1st day of January next preceding the publication of the electoral roll was the sole alienee of the right of Government to the payment of rent or land revenue in respect of an entire village in the presidency of Bombay.

The Indian Commerce Constituency.

9. Members of the Indian Merchants Chamber and Bureau and of the Bombay Millowners' Association and of the Ahmedabad Millowners' Association shall be qualified as electors respectively for the constituency comprising the Association of which they are members.

* * * * * *

SCHEDULE III.

(*See rule XIV.*)

Return of Election expenses.

1. Under the head of receipts there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connection with, or incidental to, the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure, there shall be shown :—

(a) the personal expenditure of the candidate incurred or paid by him or his election agents, including travelling and all other personal expenses incurred in connection with his candidature;

(b) the name, and the rate and total amount of the pay, of each person employed as an agent, clerk, or messenger;

(c) the travelling expenses and any other expenses incurred by the candidate or his election agent on account of agents, clerks or messengers;

(d) the travelling expenses of persons, whether in receipt of salary or not, incurred in connection with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling;

(e) the cost whether paid or incurred of—

(i) printing,
(ii) advertising,
(iii) stationery,
(iv) postage,
(v) telegrams, and
(vi) rooms hired either for public meetings or as committee rooms;

(f) any other miscellaneous expenses whether paid or incurred.

NOTE.—(1) All expenses incurred in connection with the candidature whether paid by the candidate, his election agent, or any other person, or remaining unpaid on the date of the return are to be set out.

(2) For all items of Rs. 5 and over, unless from the nature of the case (*e.g.*, travel by rail or postage) a receipt is not obtainable, vouchers are to be attached.

(3) All sums paid but for which no receipt is attached are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list.

3. The form of affidavit referred to in rule XIV shall be as follows :—

Affidavit.

I being the appointed election agent for a candidate for election in the constituency (*or* I being a candidate for election in the constituency), do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge and belief been incurred in, and for the purposes of $\frac{\text{'s candidature}}{\text{my candidature}}$

(Sd.)

Agent or candidate.

Solemnly affirmed before me.

(*Magistrate.*)

SCHEDULE IV.

[*See rules III (3), V (2) and XVI (3)*]

The following shall be deemed to be corrupt practices for the purposes of these rules :—

PART I.

1. A gift, offer or promise by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, of any gratifications to any person whomsoever, with the object, directly or indirectly, of inducing— **Bribery.**

(*a*) a person to stand or not to stand as, or to withdraw from being, a candidate,

(*b*) an elector to vote or refrain from voting at an election,

or as a reward to—

(*a*) a person for having so stood or not stood or for having withdrawn his candidature, or

(*b*) an elector for having voted or refrained from voting.

Explanation.—For the purpose of this clause the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at or for the purposes of any election, and duly entered in the return of election expenses required by the rules.

2. (1) The voluntary interference or attempted interference by a candidate or his agent or any other person with the connivance of the candidate or his agent with the free exercise of the right of any person to stand or not to stand as, or to withdraw from being, a candidate or to vote or refrain from voting at an election. **Undue influence.**

(2) A threat of injury to any person or to any person in whom that person is interested or the inducement or attempted inducement of any person to believe that he or any person in whom he is interested will become or will be rendered the object of Divine displeasure or of spiritual censure, shall be deemed to be interference within the meaning of this paragraph :

Provided that a declaration of public policy or promise of public action shall not be deemed to be interference.

3. The procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application **Personation**

by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person who has voted once at an election for a voting paper in his own name at the same election.

Publication of false statements.

4. The publication by a candidate or his agent, or by any other person with the connivance of the candidate or his agent, of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate or in relation to the candidature or withdrawal of any candidate, which statement is reasonably calculated to prejudice such candidate's election.

PART II.

Acts under Part I.

1. Any act specified in Part I, when done by a person who is not a candidate or his agent or person acting with the connivance of a candidate or his agent.

Personation.

2. The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name after he has already voted at such election.

Bribery.

3. The receipt of, or agreement to, receive any gratification, whether as a motive or a reward—

(a) by a person to stand or not to stand as or to withdraw from being a candidate; or

(b) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

Payment for conveyance.

4. Any payment or promise of payment to any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote.

Hiring and use of public conveyances.

5. The hiring, employment, borrowing or using for the purposes of the election of any boat, vehicle or animal usually kept for letting on hire or for the conveyance of passengers by hire:

Provided that any elector may hire any boat, vehicle or animal, or use any boat, vehicle or animal which is his own property to convey himself to or from the place where the vote is recorded.

Incurring expense without authority.

6. The incurring or authorisation of expenses by any person other than a candidate or his election agent on account of holding any public meeting or upon any advertisement, circular or publication or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, unless he is authorised in writing so to do by the candidate.

Hiring of liquor shops.

7. The hiring, using or letting as a committee-room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

Issue of circulars, etc., without printer's and publisher's name printed thereon.

8. The issuing of any circular, placard or poster having reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

Composition of Council of State.

I. The Council of State shall consist of—

(1) thirty-three elected members, and

(2) twenty-seven members nominated by the Governor General, of whom not more than twenty may be officials, and one shall be a person nominated as the result of an election held in Berar.

Elected Members.

Constituencies.

II. The elected members shall be elected by the constituencies specified in Schedule I to these rules, subject to the provisions of that Schedule in regard to constituencies entitled to elect in rotation, and the number of members to be elected by each constituency shall be as stated therein against that constituency.

General disqualifications for being elected.

III. (1) A person shall not be eligible for election as a Member of the Council of State if such person—

(a) is not a British subject; or

(b) is a female; or

(c) is already a member of any legislative body constituted under the Act; or

(d) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court; or

(e) has been adjudged by a competent court to be of unsound mind; or (*f*) is under 25 years of age; or

(*g*) is an undischarged insolvent; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part:

Provided that, if the Ruler of a State in India or any subject of such a State is not ineligible for election to the Legislative Council of a province, such Ruler or subject shall not by reason of not being a British subject be ineligible for election to the Council of State by any constituency in that province:

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the Governor General in Council in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for election for five years from the date of the expiration of the sentence.

(3) A person who has been convicted of an offence under Chapter IX-A. of the Indian Penal Code punishable with imprisonment for a term exceeding six months or has been reported by Commissioners holding an election inquiry as guilty of a corrupt practice as specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, shall not be eligible for election for five years from the date of such conviction or of the finding of the Commissioners, as the case may be; and a person reported by such Commissioners to be guilty of any other corrupt practice shall be similarly disqualified for three years from such date.

(4) A peron who having been a candidate or an election agent at an election has failed to lodge the return of election expenses hereinafter prescribed or has lodged a return which is found either by Commissioners holding an election inquiry or by a Magistrate in a judicial proceeding to be false in any material particular shall be disqualified for five years from the date of the election from being nominated as a candidate at any other election:

Provided that either of the disqualifications mentioned in sub-rules (3) and (4) of this rule may be removed by an order of the Governor General in Council in that behalf.

Special qualifications for election in case of Constituencies.

IV. (1) A person shall not be eligible for election as a Member of the Council of State to represent—

(*a*) a general constituency in the presidency of Bengal, unless his name is registered on the electoral roll of the constituency or of another constituency of the same communal description situate in the presidency; or

(*b*) a general constituency in the United Provinces of Agra and Oudh or in the province of Bihar and Orissa or in the province of Assam, unless his name is registered on the electoral roll of the constituency or of another general constituency in the same province; or

(*c*) a general constituency in the Presidency of Madras or in the Presidency of Bombay or in the Punjab or in the Central Provinces or in the Province of Burma or any special constituency, unless his name is registered on the electoral roll of the constituency.

(2) For the purposes of these rules—

(*a*) "general constituency" means any constituency which is not a special constituency; and

(*b*) "special constituency" means a European Commerce constituency.

The right to elect.

General conditions of registration and disqualifications.

V. (1) Every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications hereinafter set out, namely:—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) has been adjudged by a competent court to be of unsound mind; or

(*d*) is under 21 years of age:

Provided that, if the Ruler of a State in India or any subject of such a State is not disqualified for registration on the electoral roll of a constituency of the Legislative Council of a Province, such Ruler or subject shall not by reason of not being a British subject be disqualified for registration on the electoral roll of any constituency of the Council of State in that Province:

Provided further that, if a resolution is passed by the Council of State recommending that the sex disqualification for registration should be removed either in respect of women generally or any class of women, the Governor General in Council shall make regulations providing that women or a class of women, as the case may be, shall not be disqualified for registration by reason only of their sex:

Provided further that no person shall be entitled to have his name registered on the electoral roll of more than one general constituency.

(2) If any person is convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months or is reported by Commissioners holding an election inquiry as guilty of a corrupt practice as specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, his name, if on the electoral roll, shall be removed therefrom and shall not be registered thereon for a period of five years from th date of the conviction or the report, as the case may be, or, if not on the electoral roll, shall not be so registered for a like period; and if any person is reported by such Commissioners as guilty of any other corrupt practice as specified in the said Schedule, his name, if on the electoral roll, shall be removed therefrom and shall not be registered thereon for a period of three years from the date of the report or, if not on the electoral roll, shall not be registered for a like period:.

Provided that the Governor General in Council may direct that the name of any person to whom this sub-rule applies shall be registered on the electoral roll.

Qualifications of electors.

VI. (1) The qualifications of an elector for a general constituency shall be such qualifications based on—

(*i*) residence, or residence and community, and

(*ii*) (*a*) the holding of land, or

(*b*) assessment to or payment of income-tax, or

(*c*) past or present membership of a legislative body, or

(*d*) past or present tenure of office on a local authority, or

(*e*) past or present university distinction, or

(*f*) the tenure of office in a co-operative banking society, or

(*g*) the holding of a title conferred for literary merit,

as are specified in Schedule II to these rules in the case of that constituency.

(2) The qualifications of an elector for a special constituency shall be the qualifications specified in Schedule II to these rules in the case of that constituency.

Electoral roll.

VII. (1) An electoral roll shall be prepared for every constituency, on which shall be entered the names of all persons appearing to be entitled to be registered as electors for that constituency. It shall be published in the constituency together with a notice specifying the mode in which and the time within which any person whose name is not entered in the roll and who claims to have it inserted therein, or any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person on the roll, may prefer a claim or objection to the Revising Authority.

(2) The regulations for the time being in force in any province for the purpose of elections to the Legislative Council of that province in regard to the following matters, namely,—

(1) the authority by whom the electoral roll shall be prepared and the particulars to be contained in the roll,

(2) the time at which the roll shall be prepared,

(3) the publication of the roll in the constituency to which it relates,

(4) the mode in which and the time within which claims and objections may be preferred,

(5) the constitution and appointment of Revising Authorities to dispose of claims and objections,

(6) the manner in which notices of claims or objections shall be published,

(7) the place, date, and time at which and the manner in which claims or objections shall be heard,

shall apply for the purpose of the holding of elections within that province to the Council of State:

Provided that the Governor General in Council may, by notification in the *Gazette of India*, direct that such modifications and adaptations as he may specify shall be made in the application of those regulations.

(3) The orders made by the Revising Authority shall be final, and the electoral roll shall be amended in accordance therewith and shall, as so amended, be republished in the case of each province in such manner as may be prescribed by the regulations aforesaid for the republication of electoral rolls of constituencies of the Legislative Council.

(4) The electoral roll shall come into force from the date of such republication, and shall continue in force for a period of three years or for such less period as the Governor General in Council may by regulation prescribe, and after the expiration of such period a fresh roll shall be prepared in accordance with these rules.

(5) If a constituency is called upon to elect a member or members after an electoral roll has ceased to have force and before the completion of the new electoral roll, the old electoral roll shall for the purposes of that election continue to operate as the electoral roll for the constituency.

Right to vote.

VIII. Every person registered on the electoral roll for the time being in force for any constituency shall while so registered be entitled to vote at an election of a member or members for that constituency: provided that no person shall vote in more than one general constituency.

Nomination of candidates.

IX. (1) Any person may be nominated as a candidate for election in any constituency for which he is eligible for election under these rules.

(2) On or before the date on which a candidate is nominated, the candidate shall make in writing and sign a declaration appointing either himself or some other person who is not disqualified under these rules for the appointment to be his election agent, and no candidate shall be deemed to be duly nominated unless such declaration has been made.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

Election.

X. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature before such time as the Governor General in Council may fix in this behalf exceeds that of the vacancies, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be elected, and the Governor General shall, by a notification in the *Gazette of India*, call for fresh nominations for the remaining vacancies, and if any such are received shall call upon the constituencies concerned to elect members to fill these vacancies.

(4) Votes shall be given by ballot and in general constituencies in person. No votes shall be received by proxy.

(5) In plural-member constituencies every elector shall have as many votes as there are members to be elected: provided that no elector shall give more than one vote to any one candidate except in the case of the Bombay (non-Muhammadan) constituency, in which constituency an elector may accumulate all his votes on any one candidate or may distribute them among the candidates as he pleases.

(6) Votes shall be counted by the Returning Officer, and any candidate, or, in the absence of the candidate, a representative duly authorised by him in writing, shall have a right to be present at the time of counting.

(7) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected.

(8) Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(9) The Returning Officer shall without delay report the result of the election to the Secretary to the Government of India in the Legislative Department, and the name or names of the candidate or candidates elected shall be published in the *Gazette of India*.

Regulations regarding the conduct of elections.

XI. The regulations for the time being in force in any province for the purpose of elections to the Legislative Council of that province in regard to the following matters, namely,—

(1) the form and manner in, and the conditions on, which nominations may be made, and for the scrutiny of nominations,

(2) the appointment of a Returning Officer for each constituency and for his powers and duties,

(3) the division of general constituencies into polling areas and the appointment of polling stations for these areas,

(4) the appointment of officers to preside at polling stations, and the duties of such officers,

(5) the checking of voters by reference to the electoral roll,

(6) the manner in which votes are to be given, both generally and in the case of illiterate voters or voters under physical or other disability,

(7) the procedure to be followed in respect of tender of votes by persons representing themselves to be electors after other persons have voted as such electors,

(8) the scrutiny of votes,

(9) the safe custody of ballot papers and other election papers, the period for which such papers shall be preserved, and the inspection and production of such papers, and

(10) the conduct of elections generally,

shall apply for the purpose of the holding of elections within that province to the Council of State:

Provided that the Governor General in Council may, by notification in the *Gazette of India* direct that such modifications and adaptations as he may specify shall be made in the application of those regulations.

Multiple elections.

XII. (1) If any person is elected by more than one constituency, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of India in the Legislative Department within seven days from the date of the publication of the result of such election in the *Gazette of India*, choose for which of these constituencies he shall serve, and the choice shall be conclusive.

(2) When any such choice has been made, the Governor General shall call upon any constituency or constituencies for which such person has not chosen to serve to elect another person or persons.

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void and the Governor General shall call upon the constituency or constituencies concerned to elect another person or persons.

Election agents and expenses.

Disqualification for being an election agent.

XIII. No person shall be appointed an election agent who is himself ineligible for election as being subject to the disqualification mentioned in sub-rule (3) of rule III.

Return of election expenses.

XIV. (1) Within one month or such longer period as the Governor General may allow after the date of the declaration of the result of the election every candidate, either personally or through his election agent, shall cause to be lodged with the Returning Officer a return of his election expenses containing the particulars specified in Schedule III to these rules.

(2) Every such return shall contain a statement of all payments made by the candidate or by his election agent or by any persons on behalf of the candidate or in his interests for expenses incurred on account of or in respect of the conduct and management of the election, and further a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware.

(3) The return shall be accompanied by declarations by the candidate and his election agent which shall be in the form contained in the said Schedule and shall be made on oath or affirmation before a Magistrate.

(4) The Governor General in Council shall cause to be prepared in such manner, and maintained for such time, as he may direct, a record showing the names of all candidates at every election under these rules and the date on which the return of election expenses of each candidate has been lodged with the Returning Officer.

Accounts of Agents.

XV. Every election agent shall keep regular books of account in which the particulars of all expenditure of the nature referred to in rule XIV shall be entered, whether such expenditure is incurred by the candidate or by the election agent or by any person under the direction of the candidate or the election agent.

Nominated Members.

General disqualifications for nomination.

XVI. (1) Save as expressly provided in these rules in regard to the nomination of a person elected in Berar, no person shall be nominated to the Council of State who—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) is already a member of any legislative body constituted under the Act; or

(*d*) having been a legal practitioner has been dismissed or is under suspension from practising as such by order of any competent court; or

(*e*) has been adjudged by a competent court to be of unsound mind; or

(*f*) is under 25 years of age; or

(*g*) is an undischarged insolvent; or

(*h*) being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part:

Provided that if the Ruler of a State in India or any subejct of such a State is not disqualified for nomination to the Legislative Council of a province, such Ruler or subject shall not by reason of not being a British subject be disqualified for nomination to the Council of State to reperesent that province:

Provided further that the disqualification mentioned in clause (*d*) may be removed by an order of the Governor General in Council in this behalf.

(2) A person against whom a conviction by a criminal court involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall, unless the offence of which he was convicted has been pardoned, not be eligible for nomination for five years from the date of the expiration of the sentence.

(3) A person who has been convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months or has been reported by Commissioners holding an election inquiry as guilty of a corrupt practice as specified in Part I, or in paragraph 1, 2 or 3 of Part II, of Schedule IV to these rules, shall not be eligible for nomination for five years from the date of such conviction or of the finding of the Commissioners, as the case may be; and a person reported by such Commissioners to be guilty of any other corrupt practice shall be similarly disqualified for three years from such date.

(4) A person who having been a candidate or an election agent at an election has failed to lodge the return of election expenses prescribed in these rules or has lodged a return which is found either by Commissioners holding an inquiry or by a Magistrate in a judicial proceeding to be false in any material particular shall not be eligible for nomination for five years from the date of the election:

Provided that either of the disqualifications mentioned in sub-rules (3) and (4) of this rule may be removed by an order of the Governor General in Council in that behalf.

XVII. (1) A nominated non-official member shall hold office for the duration of the Council of State to which he is nominated.

Term of office of nominated member.

(2) Official members shall hold office for the duration of the Council of State to which they are nominated or for such shorter period as the Governor General may, at the time of nomination, determine.

Obligation to take oath.

XVIII. Every person who is elected or nominated to be a member of the Council of State shall before taking his seat make at a meeting of the Council of State an oath or affirmation of his allegiance to the Crown in the following form, namely:—

Taking of oath.

I, A. B. having been $\frac{\text{elected}}{\text{nominated}}$ a member of this Council do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter.

Vacation of seat.

XIX. If any person having been elected or nominated subsequently becomes subject to any of the disabilities stated in clauses (*a*), (*d*), (*e*), (*g*) and (*h*) of sub-rule (1) or in sub-rules (2), (3) and (4) of rule III or of rule XVI, as the case may be, or fails to make the oath or affirmation prescribed by rule XVIII within such time as the Governor General considers reasonable, the Governor General shall, by notification in the *Gazette of India*, declare his seat to be vacant.

Effect of subsequent disabilities or failure to take oath.

XX. (1) When a vacancy occurs in the case of an elected member by reason of his election being declared void or his seat being declared vacant, or by reason of absence from

Vacancies.

India, inability to attend to duty, death, acceptance of office or resignation duly accepted, the Governor General shall, by notification in the *Gazette of India*, call upon the constituency concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) If a vacancy occurs in the case of a nominated member, the Governor General shall nominate to the vacancy a person having the necessary qualification under these rules.

First constitution of the Council of State.

Constitution of Council of State.

XXI. (1) As soon as conveniently may be after these rules come into force, a Council of State shall be constituted in accordance with their provisions.

(2) For this purpose the Governor General shall, by notification in the *Gazette of India*, call upon the constituencies referred to in rule II to elect members in accordance with these rules within such time as may be prescribed by such notification, and shall make such nominations as may be necessary to complete the Council of State before the date fixed for its first meeting.

(3) If any difficulty arises as to the preparation or publication of the first electoral roll or the holding of the first elections after the commencement of these rules, the Governor General in Council may by order do any matter or thing which appears to him necessary for the proper preparation or publication of the roll or for the proper holding of the elections.

General Elections.

Reconstitution of Council of State.

XXII. (1) On the expiration of the duration of a Council of State or on its dissolution, a general election shall be held in order that a new Council of State may be constituted.

(2) On such expiration or dissolution, the Governor General shall, by notification in the *Gazette of India*, call upon the constituencies referred to in rule II to elect members in accordance with these rules within such time after the date of expiration or dissolution as may be prescribed by such notification:

Provided that, if the Governor General thinks fit, such notification may be issued at any time not being more than three months prior to the date on which the duration of the Council of State would expire in the ordinary course of events.

(3) Before the date fixed for the first meeting of the Council of State, the Governor General shall make such nominations as may be necessary to complete the Council of State.

Publication of result of general election.

XXIII. As soon as may be after the expiration of the time fixed for the election of members at any general election, the names of the members elected for the various constituencies at such election shall be notified in the *Gazette of India*.

SCHEDULE I.

(*See Rule II.*)

I.—List of Constituencies entitled to representation in every Council of State.

Province.	Name of constituency.	Class of constituency.	Extent of constituency.	Number of members.
Bombay	Bombay (Non-Mahomedan) ...	Non-Mahomedan ...	The Bombay Presidency.	3
Do.	Bombay Presidency (Mahomedan.)	Mahomedan ...	The Bombay Presidency, excluding Sind.	1
Do.	Sind (Mahomedan) ...	Do. ...	The Province of Sind.	1
Do.	Bombay Chamber of Commerce.	European Commerce.	(Non-territorial.)	1

* * * * * *

SCHEDULE II.

(See Rule VI.)

Qualfications of Electors.

BOMBAY.

Joint families.

1. Where any property is held or payment is made or received jointly by the members of a joint family, the family shall, if the majority of the members thereof are not subject to any of the disqualifications specified in rule V of these rules, be adopted as a unit for deciding whether under the provisions of this Part the requisite qualification exists; and, if it does exist, the manager of the family only shall be qualified as an elector in respect of such property or payment.

General Constituencies.

2. A person shall be qualified as an elector for a general constituency who has a place of residence in the constituency and who—

(*a*) is in Sind either a Jagirdar of the first or second class or a Zamindar holding land assessed to land revenue of not less than Rs. 2,000; or

(*b*) is a Deccan Sardar or a Gujarat Sardar, that is to say, a person whose name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd July 1867, or in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st September 1909; or

(*c*) is an Inamdar or Saranjamdar holding an entire village assessed to land revenue of not less than Rs. 2,000, or a Talukdar holding on talukdari tenure land assessed at not less than Rs. 2,000 land revenue, or a co-sharer holding on talukdari tenure a share in any land which share if held separately would be assessed at not less than Rs. 2,000 land revenue; or

(*d*) is a Khot or other landholder holding land assessed or assessable to land revenue of not less than Rs. 2,000; or

(*e*) was in the financial year preceding that in which the electoral roll for the time being under preparation is first published under these rules assessed to income-tax on an income of not less than Rs. 30,000; or

(*f*) is or has been a non-official member of either chamber of the Indian Legislature or has been a non-official member of the Indian Legislative Council as constituted under the Government of India Act, 1915, or any Act repealed thereby, or is or has been at any time a non-official member of the Bombay Legislative Council; or

(*g*) is or has been the non-official president or is the non-official vice-president of a city municipality within the meaning of section 3 (*1*) of the Bombay District Municipal Act, 1901, or of a district local board established under the Bombay Local Boards Act, 1884; or

(*h*) is or has been a member of the Senate or a Fellow or Honorary Fellow of any University constituted by law in British India;

(*i*) is recognised by the Government as a holder of the title of Shams-ul-Ulama or of the title of Mahamahopadhyaya.

Provided that—

(*i*) no person other than a Muhammadan shall be qualified as an elector for a Muhammadan constituency, and

(*ii*) no Muhammadan shall be qualified as an elector for the non-Muhammadan constituency.

Special Constituency.

Bombay Chamber of Commerce Constituency.

3. A person shall be qualified as an elector for the Bombay Chamber of Commerce constituency who is a member of that Chamber.

SCHEDULE III.

(See Rule XIV.)

Return of Election expenses.

1. Under the head of receipts there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connection with, or incidental to, the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure, there shall be shown :—

(*a*) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other personal expenses incurred in connection with his candidature;

(*b*) the name and the rate and total amount of the pay, of each person employed as an agent, clerk or messenger;

(*c*) the travelling expenses and any other expenses incurred by the candidate or his election agent, on account of agents, clerks or messengers;

(*d*) the travelling expenses of persons, whether in receipt of salary or not, incurred in connection with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling;

(*e*) the cost whether paid or incurred of—

(*i*) printing,
(*ii*) advertising,
(*iii*) stationery,
(*iv*) postage,
(*v*) telegrams, and
(*vi*) rooms hired either for public meetings or as committee-rooms;

(*f*) any other miscellaneous expenses whether paid or incurred.

NOTE.—(1) All expenses incurred in connection with the candidature whether paid by the candidate, his election agent, or any other person, or remaining unpaid on the date of the return are to be set out.

(2) For all items of Rs. 5 and over, unless from the nature of the case (*e.g.*, travel by rail or postage) a receipt is not obainable, vouchers are to be attached.

(3) All sums paid but for which no receipt is attached are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list.

3. The form of affidavit referred to in rule XIV shall be as follows :—

Affidavit.

I being the appointed election agent for a candidate for election
in the consituency (*or* I being a candidate for election
in the constituency), do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses, of any nature whatsoever have to my knowledge and belief been incurred in, and for the purposes of, — $\frac{\text{'s candidature}}{\text{my candidature.}}$

(Sd.)

Agent or candidate.

Solemnly affirmed before me.

(*Magistrate.*)

SCHEDULE IV.

[*See rules III (3), V (2) and XVI (3).*]

The following shall be deemed to be corrupt practices for the purposes of these rules :—

PART I.

Bribery.

1. A gift, offer or promise by a candidate or his Agent, or by any other person with the connivance of a candidate or his agent, of any gratifications to any person whomsoever, with the object, directly or indirectly, of inducing—

(*a*) a person to stand or not to stand as, or to withdraw from being, a candidate,

(*b*) an elector to vote or refrain from voting at an election,

or as a reward to—

(*a*) a person for having so stood or not stood or for having withdrawn his candidature, or

(*b*) an elector for having voted or refrained from voting.

Explanation.—For the purpose of this clause the term 'gratification' is not restricted to pecuniary gratifications or gratifications estimable in money, and includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at or for the purposes of any election, and duly entered in the return of election expenses required by the rules.

Undue influence.

2. (1) The voluntary interference or attempted interference by a candidate or his agent or any other person with the connivance of the candidate or his agent with the free exercise of the right of any person to stand or not to stand as, or to withdraw from being, a candidate or to vote or refrain from voting at an election.

(2) A threat of injury to any person or to any person in whom that person is interested or the inducement or attempted inducement of any person to believe that he or any person in whom he is interested will become or will be rendered the object of Divine displeasure or of spiritual censure, shall be deemed to be interference within the meaning of this paragraph :

Provided that a declaration of public policy or promise of public action shall not be deemed to be interference.

Personation.

3. The procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person who has voted once at an election for a voting paper in his own name at the same election.

Publication of false statements.

4. The publication by a candidate or his agent, or by any other person with the connivance of the candidate or his agent, of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate or in relation to the candidature or withdrawal of any candidate, which statement is reasonably calculated to prejudice such candidate's election.

PART II.

Acts under Part I.

1. Any act specified in Part I, when done by a person who is not a candidate or his agent or person acting with the connivance of a candidate or his agent.

Personation.

2. The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name after he has already voted at such election.

Bribery.

3. The receipt of, or agreement to, receive any gratification, whether as a motive or a reward—

(*a*) by a person to stand or not to stand as, or to withdraw from being, a candidate; or

(*b*) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

Payment for conveyance.

4. Any payment or promise of payment to any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote.

Hiring and use of public conveyances.

5. The hiring, employment, borrowing or using for the purposes of the election of any boat, vehicle or animal usually kept for letting on hire or for the conveyance of passengers by hire:

Provided that any elector may hire any boat, vehicle or animal, or use any boat, vehicle or animal which is his own property to convey himself to or from the place where the vote is recorded.

Incurring expense without authority.

6. The incurring or authorisation of expenses by any person other than a candidate or his election agent on account of holding any public meeting or upon any advertisement, circular or publication or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, unless he is authorised in writing so to do by the candidate.

Hiring of liquor shops.

7. The hiring, using or letting as a committee-room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

Issue of circulars, etc., without printer's and publisher's name printed thereon.

8. The issuing of any circular, placard or poster having reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

Rules for the final decision of doubts and disputes as to the validity of an election to the Council of State and the Indian Legislative Assembly.

Definitions.

In these rules, unless there is anything repugnant in the subject or context,—

(*a*) 'agent' includes an election agent and any person who is held by Commissioners to have acted as an agent in connection with an election with the knowledge or consent of the candidate;

(*b*) 'candidate' means a person who has been nominated as a candidate at any election or who claims that he has been so nominated, or that his nomination has been improperly refused, and includes a person who, when an election is in contemplation, holds himself out as a prospective candidate at such election, provided that he is subsequently nominated as a candidate at such election; and

(*c*) 'returned candidate' means a candidate whose name has been published under the rules as duly elected.

The election petition.

1. No election shall be called in question, except by an election petition presented in accordance with the following rules.

Its presentation.

2. An election petition may be presented to the Governor General by any candidate or elector against any returned candidate within fourteen days after the result of the election has been published in the manner provided in the rules.

Its contents.

3. The petition shall contain a statement in concise form of the material facts on which the petitioner relies and the particulars of any corrupt practice which he alleges, and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure.

Against whom it may be presented.

4. The petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself or any other candidate has been duly elected; in which case he shall join as respondents to his petition all other candidates who were nominated at the election.

Deposit of Security.

5. At the time of presentation of the petition, the petitioner shall deposit with it the sum of one thousand rupees in cash or in Government Promissory Notes of equal value at the market rate of the day as security for the cost of the same.

Dismissal for default.

6. (1) If the provisions of rule 5 are not complied with, the Governor General shall dismiss the petition.

Appointment of Commissioners.

(2) Upon compliance with the provisions of rule 5—

(*a*) the Governor General shall appoint as Commissioners for the trial of the petition three persons who are or are eligible to be appointed Judges of a High Court within the meaning of section 101 (3) of the Government of India Act, and shall appoint one of them to be the president, and thereafter all applications and proceedings in connection therewith shall be dealt with and held by such Commissioners;

(*b*) the President of the Commission, so constituted, shall, as soon as may be, cause a copy of the petition to be served on each respondent and to be published in the *Gazette of India* and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond.

(3) When in respect of an election in a constituency more petitions than one are presented, the Governor General shall refer all such petitions to the same Commissioners, who may at their discretion inquire into the petitions either in one or in more proceedings as they shall think fit.

Inquiry by Commissioners.

7. Every election petition shall be inquired into by the Commissioners, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, to the trial of suits, provided that it shall only be necessary for the Commissioners to make a memorandum of the substance of the evidence of any witness examined by them.

Place of inquiry.

8. The inquiry shall be held at such place as the Governor General may appoint; provided that the Commissioners may in their discretion sit at any other place in the Province in which the constituency is situated for any part of the inquiry, and may depute any one of their number to take evidence at any place in such Province.

Withdrawal of petition.

9. (1) No election petition shall be withdrawn without the leave of the Commissioners.

(2) If there are more petitioners than one, no application to withdraw a petition shall be made, except with the consent of all the petitioners.

(3) When an application for withdrawal is made, notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the *Gazette of India*.

(4) No application for withdrawal shall be granted, if the Commissioners are of opinion that such application has been induced by any bargain or consideration which the Commissioners consider ought not to be allowed.

(5) If the application is granted—

(*a*) the petitioner shall be ordered to pay all or such portion of the costs of the respondent theretofore incurred as the Commissioners may think fit;

(*b*) such withdrawal shall be reported to the Governor General, who shall publish notice thereof in the *Gazette of India;* and

(*c*) any person who might himself have been a petitioner may, within seven days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and upon compliance with the conditions of rule 5 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit.

Abatement and substitution on death of petitioner.

10. (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners.

(2) Such abatement shall be reported to the Governor General, who shall publish notice thereof in the *Gazette of India*.

(3) Any person who might himself have been a petitioner may, within seven days of such publication, apply to be substituted as petitioner, and upon compliance with the conditions of rule 5 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit.

Abatement and substitution on death of respondent.

11. If before the conclusion of the trial of an election petition the respondent dies, or gives notice that he does not intend to oppose the petition, the Commissioners shall cause notice of such event to be published in the *Gazette of India* and thereupon any person who might have been a petitioner may, within seven days of such publication, apply to be substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioners may think fit.

Recrimination when seat claimed.

12. Where at an inquiry into an election petition any party thereto, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such party would have been void in the same manner as if he had been the returned candidate and a petition had been presented complaining of his election.

Attendance of Law Officers.

13. When at an inquiry into an election petition the Commissioners so order, the Advocate General or some person acting under his instructions shall attend and take such part therein, as they may direct.

Explanation.—The expression 'Advocate General' includes also a Government Advocate, or, where there is no Advocate General or Government Advocate, such other officer as the Local Government may, from time to time, appoint in this behalf.

Grounds for declaring election void.

14. (1) Save as hereinafter provided, in this rule, if in the opinion of the Commissioners—

(*a*) the election of a returned candidate has been procured, or induced, or the result of the election has been materially affected by a corrupt practice specified in Part I or II of Schedule IV, or (*b*) any corrupt practice specified in Part I of Schedule IV has been committed, or

(*c*) the result of the election has been materially affected by any irregularity in respect of a nomination paper, or the improper reception or refusal of a vote, or by any non-compliance with the provisions of the Act or the rules or regulations made thereunder, or by any mistake in the use of any form annexed thereto,

the election of the returned candidate shall be void.

(2) If the Commissioners report that a returned candidate has been guilty by an agent (other than his election agent) of any corrupt practice specified in Part I of Schedule IV which does not amount to any form of bribery, other than treating as hereinafter explained, or to the procuring or abetment of personation, and if the Commissioners further report that the candidate has satisfied them that—

(*a*) no corrupt practice was committed at such election by the candidate or his election agent and the corrupt practices mentioned in the report were committed contrary to the orders and without the sanction or connivance of such candidate or his election agent, and

(*b*) such candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at such election, and

(*c*) the corrupt practices mentioned in the said report were of a trivial, unimportant and limited character, and

(*d*) in all other respects the election was free from any corrupt practice on the part of such candidate or any of his agents,

then the Commissioners may find that the election of such candidate is not void.

Explanation.—For the purpose of this proviso 'treating' means the incurring in whole or in part by any person of the expense of giving or providing any food, drink, entertainment or provision to any person with the object, directly or indirectly, of inducing him or any other person to vote or refrain from voting or as a reward for having voted or refrained from voting.

Report of Commissioners and procedure thereon.

15. (1) At the conclusion of the inquiry, the Commissioners shall report whether the returned candidate or any other party to the petition who has under the provisions of these rules claimed the seat has been duly elected, and in so reporting shall have regard to the provisions of rule 14.

(2) The report shall be in writing and shall be signed by all the Commissioners. The Commissioners shall forthwith forward their report to the Governor General who, on receipt thereof, shall issue orders in accordance with the report and publish the report in the *Gazette of India*, and the orders of the Governor General shall be final.

Form of report.

16. If either in their report or upon any other matter there is a difference of opinion among the Commissioners, the opinion of the majority shall prevail, and their report shall be expressed in the terms of the views of the majority.

Findings as to corrupt practices and persons guilty thereof.

17. Where any charge is made in an election petition of any corrupt practice, the Commissioners shall record in their report—

(*a*) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with connivance of any candidate or his agent and the nature of such corrupt practice, and

(*b*) the names of all persons (if any) who have been proved at the inquiry to have been guilty of any corrupt practice and the nature of such corrupt practice, with any such recommendations (if any) as they may desire to make for the exemption of any such persons from any disqualification they may have incurred in this connection under the rules.

SCHEDULE IV.

(*See rules 3, 14 and 17.*)

The following shall be deemed to be corrupt practices for the purposes of these rules :—

PART I.

Bribery.

1. A gift, offer or promise by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, of any gratifications to any person whomsoever, with the object, directly or indirectly, of inducing—

(*a*) a person to stand or not to stand as or to withdraw from being a candidate, (*b*) an elector to vote or refrain from voting at an election,

or as a reward for—

(*a*) a person having so stood or not stood or having withdrawn his candidature, or

(*b*) an elector having voted or refrained from voting.

Explanation.—For the purpose of this clause the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bonâ fide* incurred at or for the purposes of any election, and duly entered in the return of election expenses required by the rules.

Undue influence.

2. (1) The voluntary interference or attempted interference by a candidate or his agent or any other person with the connivance of the candidate or his agent with the free exercise of the right of any person to stand or not to stand as, or to withdraw from being a candidate or to vote or refrain from voting at an election.

(2) A threat of injury to any person or to any person in whom that person is interested or the inducement or attempted inducement of any person to believe that he or any person in whom he is interested will become or will be rendered the object of Divine displeasure or of spiritual censure, shall be deemed to be interference within the meaning of this paragraph (1):

Provided that declaration of public policy or promise of public action shall not be deemed to be interference.

Personation.

3. The procuring or abetting or attempting to procure by a candidate or his agent or by any other person, with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name or by a person, who has voted once at an election, for a voting paper in his own name at the same election.

Publication of false statement.

4. The publication by a candidate or his agent or by any other person, with the connivance of the candidate or his agent, of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, which statement is reasonably calculated to prejudice such candidate's election.

PART II.

Acts under Part I.

1. Any act specified in Part I, when done by a person who is not a candidate or his agent or person acting with the connivance of a candidate or his agent.

Personation.

2. The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name after he has already voted at such election.

Bribery.

3. The receipt of, or agreement to receive, any gratification, whether as a motive or a reward—

(*a*) by a person to stand or not to stand as, or to withdraw from being, a candidate; or

(*b*) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

Payment for conveyance.

4. Any payment or promise of payment to any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote.

Hiring and use of public conveyances.

5. The hiring, employment, borrowing or using for the purposes of the election any boat, vehicle or animal usually kept for letting on hire or for the conveyance of passengers by hire:

Provided that any elector may hire any boat, vehicle or animal or use any boat, vehicle or animal which is his own property to convey himself to or from the place where the vote is recorded.

Incurring expenses without authority.

6. The incurring or authorisation of expenses by any person other than a candidate or his agent for the election on account of holding any public meeting or upon any advertisement, circular or publication or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, unless he is authorised in writing so to do by the candidate.

Hiring of liquor-shops.

7. The hiring, using or letting as a committee-room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

Issue of circular, etc., without printer's and publisher's name printed thereon.

8. The issuing of any circular, placard or poster having reference to an election, which does not bear on its face the name and address of the printer and publisher thereof.

" No. 352-G., dated Simla, the 13th May 1920.

The following rules, which have been made under sections 30 (1*a*), 45-A, 52(3), 80-A(3) (*a*) and (*h*) and 81-A, and sections 72-D(6), 67(1) and 67(5), of the Government of India Act and submitted for the sanction of the Secretary of State in Council, are published for general information :—

RULES UNDER SECTION 30 (1A) OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 30(1-A.) and section 129-A of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules :—

Short title.

1. These rules may be called the Local Government (Borrowing) Rules.

Purposes for which loans may be raised.

2. A local Government may, with the previous sanction of the Governor General in Council, raise loans on the security of the revenues allocated to it, for any of the following purposes, namely :—

(*a*) to meet capital expenditure on the construction or acquisition of any work in connection with—

(*i*) the improvement of irrigation or communications, or the supply of electric power for industrial purposes, or

(*ii*) any building or housing scheme, or

(*iii*) any scheme for the drainage or reclamation of land, or

(*iv*) any scheme for the development of forests and forest industries, or

(*v*) any other project of a like nature;

(*b*) for the giving of relief and the establishment and maintenance of relief works in times of famine or scarcity;

(*c*) for the financing of the Provincial Loan Account; and

(*d*) for the repayment or consolidation of loans raised in accordance with these rules or the repayment of advances made by the Governor General in Council.

Terms of loans.

3. The sanction to be given by the Governor General in Council under rule 2 shall specify—

(*a*) the manner in which and the dates on or between which money should be borrowed;

(*b*) the rate of interest to be paid on the loan; and

(c) the manner and time of repayment, whether by provision of a sinking fund or otherwise.

Priority.

4. Every loan raised by a local Government in accordance with these rules shall be a charge on the whole of the revenues allocated to the local Government, and all payments in connection with the service of such loans shall be made in priority to all payments by the local Government other than the payments of—

(*i*) the fixed provincial contribution payable to the Governor General in Council,

(*ii*) interest due on sums advanced to the local Government by the Governor General in Council from the revenues of India, and

(*iii*) interest due on all loans previously raised by the local Government.

RULES UNDER SECTION 45-A OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 45-A. and section 129-A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretay of State in Council, is pleased to make the following rules :—

Short title.

1. These rules may be called the Devolution Rules.

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context—

(a) " all-India revenues " means such portion of the revenues of India as is not allocated to local Governments under these rules;

(b) "Schedule" means a Schedule to these rules;

(c) "the Act" means the Government of India Act.

Part I.—Classification of subjects.

Classification of subjects.

3. (1) For the purpose of distinguishing the functions of local Governments and local legislatures from the functions of the Governor General in Council and the Indian legislature, subjects shall be classified in relation to the functions of Government as central and provincial subjects in accordance with the lists set out in Schedule I.

(2) Any matter which is included in the list of provincial subjects set out in Part II of Schedule I shall, to the extent of such inclusion, be excluded from any central subject of which, but for such inclusion, it would form part.

Settlement of doubts.

4. Where any doubt arises as to whether a particular matter does or does not relate to a provincial subject, the Governor General in Council shall decide whether the matter does or does not so relate, and his decision shall be final.

Duty of local Government to supply information.

5. The local Government of a province shall furnish to the Governor General in Council from time to time such returns and information on matters relating to the administration of provincial subjects as the Governor General in Council may require and in such form as he may direct.

Transfer of subjects and revocation or suspension of transfer.

6. The provincial subjects specified in the first column of Schedule II shall, in the provinces shown against each subject in the second column of the said Schedule, be transferred subjects: provided that the Governor General in Council may, by notification in the Gaette of India, with the previous sanction of the Secretary of State in Council, revoke or suspend for such period as he may consider necessary the transfer of any provincial subject in any province, and upon such revocation or during such suspension the subject shall not be a transferred subject.

Settlement of doubts.

7. If any doubt arises as to whether any matter relates to a reserved or to a transferred subject, the Governor shall decide the question, and his decision shall be final.

Transfer in consequence of legislation.

8. Where an Act of the Legislative Council of a Governor's province confers on local authorities powers of the management of matters relating to reserved subjects, those matters shall, to the extent of the powers conferred by such legislation, be deemed in that province to form part of the transferred subject of local self-government.

Matters affecting both reserved and transferred subjects.

9. (1) When a matter appears to the Governor to affect substantially the administration both of a reserved and of a transferred subject, and there is disagreement between the Executive Council and the minister concerned as to the action to be taken, it shall be the duty of the Governor, after due consideration of the advice tendered to him, to direct in which department the decision as to such action shall be given: provided that, in so far as circumstances admit, important matters on which there is such a difference of opinion shall before the giving of such direction be considered by the Governor, with his Executive Council and his ministers together.

(2) In giving such a direction as is referred to in sub-rule (1), the Governor may, if he thinks fit, indicate the nature of the action which should in his judgment be taken, but the decision shall thereafter be arrived at by the Governor in Council or by the Governor and minister according as the department to which it has been committed is a department dealing with reserved or a department dealing with transferred subjects.

Regulation of exercise of authority over members of public services.

10. The authority vested in the local Government over officers of the public services employed in a province shall be exercised in the case of officers serving in a department dealing with reserved subjects by the Governor in Council and in the case of officers serving in a department dealing with transferred subjects by the Governor acting with the minister in charge of the department: provided that—

(a) no order affecting emoluments or pensions, no order of formal censure, and no order on a memorial shall be passed to the disadvantage of an officer of an all-India or provincial service without the personal concurrence of the Governor; and

(b) no order for the posting of an officer of an all-India service shall be made without the personal concurrence of the Governor.

Service in a department.

11. An officer shall be deemed to be serving in that department which controls the budget-head to which his pay is debited. If he performs duties both in a department dealing with reserved and in a department dealing with transferred subjects, the Governor shall decide to which budget-head his pay shall be debited.

Devolution.

12. Subject to the provisions of these rules, provincial subjects shall be administered by the local Government. But, save in the case of transferred subjects, nothing in these rules shall derogate from the power of superintendence, direction and control conferred on the Governor General in Council by the Act.

Part II.—Financial arrangements.

Allocation of revenue.

13. The following sources of revenue shall be allocated to local Governments as sources of provincial revenue, namely :—

(*a*) balances standing at the credit of the province at the time when the Act comes into force;

(*b*) receipts accruing in respect of provincial subjects;

(*c*) general stamps;

(*d*) recoveries of loans and advances given by the local Government and of interest paid on such loans;

(*e*) payments made to the local Government by the Governor General in Council or by other local Governments, either for services rendered or otherwise;

(*f*) the proceeds of any taxes which may be lawfully imposed for provincial purposes;

(*g*) the proceeds of any loans which may be lawfully raised for provincial purposes; and

(*h*) any other sources which the Governor General in Council may by order declare to be sources of provincial revenue.

Payment of Government revenues into the public account.

14. All moneys derived from sources of provincial revenue shall be paid into the public account, of which the Governor General in Council is custodian, and credited to the Government of the province; and no moneys so credited shall be withdrawn from the public account save in accordance with the provisions of a law passed by the Indian legislature.

Contributions by local Governments in 1921-22.

15. In the financial year 1921-22 contributions shall be paid to the Governor General in Council by the local Governments mentioned below according to the following scale :—

Name of Province.	Contributions (In lakhs of rupees.)
Madras ...	... 348
Bombay ...	... 56
Bengal ...	... 63
United Provinces ...	... 240
Punjab ...	... 175
Burma ...	... 64
Central Provinces and Berar	... 22
Assam ...	... 15

Contributions in subsequent years.

16. From the financial year 1922-23 onwards a total contribution of 983 lakhs, or such smaller sum as may be determined by the Governor General in Council, shall be paid to the Governor General in Council by the local Governments mentioned below. The percentage of this total amount to be paid in each year by each local Government shall be according to the following scale :—

Name of Province.	1922-23	1923-24.	1924-25.	1925-26.	1926-27.	1927-28 and thereafter.
Madras	32½	29½	26½	23	20	17
Bombay	7	8	9½	10½	12	13
Bengal	8½	10½	12½	15	17	19
United Provinces ...	23½	22½	21	20	19	18
Punjab	16½	15	13½	12	10½	9
Burma	6½	6½	6½	6½	6½	6½
Bihar and Orissa ...	1½	3	5	7	8½	10
Central Provinces and Berar.	2½	3	3½	4	4½	5
Assam	1½	2	2	2	2½	2½

Excess contributions in case of emergency.

17. In cases of emergency the local Government of any province may be required by the Governor General in Council, with the sanction of, and subject to conditions approved by, the Secretary of State, to pay to the Governor General in Council a contribution for any financial year in excess of the amount required by the preceding rules in the case of that year.

Priority of contributions.

18. The contributions fixed under the preceding rules shall be a first charge on the allocated revenues and moneys of the local Governments concerned, and shall be paid in such instalments, in such manner, and on such dates, as the Governor General in Council may prescribe.

Withdrawal of balances.

19. At any time when he considers this course to be essential in order to preserve the financial stability of India, the Governor General in Council shall have power to require a local Government so to regulate its programme of expenditure as not to reduce the balance at its credit in the public account on a specified date below a stated figure. Subject to this power, local Governments shall be at liberty to draw on their balances, provided that notice of the amount which they propose to draw during the ensuing financial year is given to the Governor General in Council before such date in each year as the Governor General in Council may by order fix.

Interest on provincial balances.

20. Whenever the Governor General in Council has, on receipt of due notice of the intention of the local Government to draw on its balances, required it to reduce the extent of the proposed draft, he shall, at the end of the financial year in which the local Government is debarred from drawing, credit the local Government with interest on the amount which it was not permitted to draw. Such interest shall be a charge on the revenues of India and shall be calculated at the average rate at which the Governor General in Council has borrowed money in the open market during the year by the issue of treasury bills.

Provincial Loan Account.

21. Any moneys which, on the 1st day of April 1921, are owed to the Governor General in Council on account of advances made from the provincial loan account of any province shall be treated as an advance to the local Government from the revenues of India, and shall carry interest at a rate calculated on the average rate carried by the total amount owed to the Governor General in Council on this account on the 31st March 1921. The interest shall be payable upon such dates as the Governor General in Council may fix. In addition, the local Government shall pay to the Governor General in Council in each year an instalment in repayment of the principal amount of the advance, and this instalment shall be so fixed that the total advance shall, except where for special reasons the Governor General in Council may otherwise direct, be repaid before the expiry of twelve years. It shall be open to any local Government to repay in any year an amount in excess to the fixed instalment.

Capital expenditure on irrigation works.

22. (*1*) The capital sums spent by the Governor General in Council upon the construction in the various provinces of productive and protective irrigation works and of such other works financed from loan funds as may from time to time be handed over to the management of local Governments shall be treated as advances made to the local Governments from the revenues of India. Such advances shall carry interest at the following rates, namely :—

(*a*) in the case of outlay up to the end of the financial year 1916-17, at the rate of 3·3252 *per centum;*

(*b*) in the case of outlay incurred after the financial year 1916-17, at the average rate of interest paid by the Governor General in Council on loans raised in the open market since the end of that year.

(*2*) The interest shall be payable upon such dates as the Governor General in Council may fix.

Advances by the Government of India.

23. The Governor General in Council may at any time make to a local Government an advance from the revenues of India on such terms as to interest and repayment as he may think fit.

Priority of interest charges.

24. The payment of interest on loans and advances made under the three preceding rules, and the repayment of the principal of an advance under rule 21, shall be a charge on the annual allocated revenues of the local Government, and shall have priority over all other charges, save only contributions payable to the Governor General in Council.

Powers of sanction.

25. (*1*) Subject to the rules contained in Schedule III, the local Government shall have full power to sanction expenditure on provincial subjects—

(*a*) in the case of grants voted by the Legislative Council, to the full extent of such grant, and

(*b*) in the case of the heads of expenditure enumerated in section 72-D (*3*) of the Act, to any extent.

(*2*) Sanctions once given under clause (*a*) of sub-rule (*1*) shall remain valid for the specified period for which they are given, subject to the voting of grants in each year.

Delegation of powers of sanction.

26. Any powers conferred by rule 25 upon the Governor in Council or the Governor acting with ministers may, after previous consultation with the Finance Department hereinafter referred to, be delegated, with or without conditions, to any officer subordinate to the local Government. Such officer may not in his turn delegate such powers to any officer subordinate to him.

Famine Insurance Fund.

27. Each local Government shall establish and maintain out of provincial revenues a famine insurance fund in accordance with the provisions of Schedule IV, and such fund shall be controlled and administered as required by those provisions.

Taxation and borrowing.

28. All proposals for raising taxation or for the borrowing of money on the revenues of a province shall be considered by the Governor with his Executive Council and ministers sitting together, but the decision shall thereafter be arrived at by the Governor in Council, or by the Governor and minister or ministers concerned, according as the proposal relates to a reserved or to a transferred subject.

Allocation of revenues for the administration of transferred subjects.

29. Expenditure for the purpose of the administration of transferred subjects shall, in the first instance, be a charge on the general revenues and balances of each province, and the framing of proposals for expenditure in regard to transferred and reserved subjects will be a matter for agreement between that part of the Government which is responsible for the administration of transferred subjects and that part of the Government which is responsible for the administration of reserved subjects.

Procedure in event of failure to agree.

30. If the Governor is at any time satisfied that there is no hope of an agreement being arrived at within a reasonable time as to the framing of proposals in regard to expenditure for reserved and transferred subjects respectively, he may by order in writing allocate the revenue and balances of the province between reserved and transferred subjects by specifying the fractional proportions of the revenues and balances which shall be assigned to each class of subject.

Period of order of allocation.

31. Every such order shall specify the period for which the allocation will remain in force. Such period shall be either the period of the office of the then existing Legislative Council or such longer period terminating at a date not later than one year after the expiration thereof as the Governor may determine. The Governor may, if he thinks fit, before making an order of allocation, refer the question of the allocation of the revenues and balances of the province for the report of such authority as the Governor General may appoint in this behalf, and the Governor, if he so refers the matter, shall make his order in accordance with the terms of the report.

Condition of order of allocation.

32. Every order of allocation made under these rules shall provide that, if any increase of revenue accrues during the period of the order on account of the imposition of fresh taxation, that increase, unless the legislature otherwise directs, shall be allocated in aid of that part of the Government by which the taxation is initiated.

Preparation of budget in default of agreement or order of allocation.

33. If at the time of the preparation of any budget no agreement or allocation such as is contemplated by these rules has been arrived at, the budget shall be prepared on the basis of the aggregate grants respectively provided for the reserved and transferred subjects in the budget of the year about to expire.

Part III.—Finance Department.

Finance Department.

34. (*1*) There shall be in each Governor's province a Finance Department, which shall be controlled by a member of the Executive Council.

(*2*) Immediately subordinate to the member there shall be a financial secretary, with whom shall be associated, if the ministers so desire, a joint secretary appointed by the Governor after consultation with the ministers.

(*3*) The joint secretary shall be specially charged with the duty of examining and dealing with financial questions arising in relation to transferred subjects and with proposals for taxation or borrowing put forward by any minister.

Functions of Finance Department.

35. The Finance Department shall perform the following functions, namely :—

(*a*) it shall be in charge of the account relating to loans granted by the local Government, and shall advise on the financial aspect of all transactions relating to such loans;

(*b*) it shall be responsible for the safety and proper employment of the famine insurance fund;

(*c*) it shall examine and report on all proposals for the increase or reduction of taxation;

(*d*) it shall examine and report on all proposals for borrowing by the local Government; shall take all steps necessary for the purpose of raising such loans as have been duly authorised; and shall be in charge of all matters relating to the service of loans;

(*e*) it shall be responsible for seeing that proper financial rules are framed for the guidance of other departments and that suitable accounts are maintained by other departments and establishments subordinate to them;

(*f*) it shall prepare an estimate of the total receipts and disbursements of the province in each year and shall be responsible during the year for watching the state of the local Government's balances;

(*g*) in connection with the budget and with supplementary estimates—

(*i*) it shall prepare the statement of estimated revenue and expenditure which is laid before the Legislative Council in each year and any supplementary estimates or demands for excess grants which may be submitted to the vote of the Council;

(*ii*) for the purposes of such preparation, it shall obtain from the departments concerned material on which to base its estimates, and it shall be responsible for the correctness of the estimates framed on the material so supplied;

(*iii*) it shall examine and advise on all schemes of new expenditure for which it is proposed to make provision in the estimates, and shall decline to provide in the estimates for any schemes which has not been so examined;

(*h*) on receipt of a report from an audit officer to the effect that expenditure for which there is no sufficient sanction is being incurred, it shall require steps to be taken to obtain sanction or that the expenditure shall immediately cease;

(*i*) it shall lay the audit and appropriation reports before the committee on public accounts, and shall bring to the notice of the committee all expenditure which has not been duly authorised and any financial irregularities;

(*j*) it shall advise departments responsible for the collection of revenue regarding the progress of collection and the methods of collection employed.

Powers of Finance Department with reference to reappropriation.

36. (*1*) After grants have been voted by the Legislative Council, the Finance Department shall have power to sanction—

(*i*) any reappropriation within a grant from one major or minor head to another,

(*ii*) any reappropriation between heads subordinate to a minor head which involves the undertaking of a recurring liability, and

(*iii*) any delegation by a member or minister in charge of a department to any officer or class of officers of power to make reappropriation between heads subordinate to a minor head, and the conditions of such delegation,

and no such reappropriation or delegation shall be made without such sanction.

(*2*) Copies of orders sanctioning any reappropriation which does not require the sanction of the Finance Department shall be communicated to that department as soon as such orders are passed.

Matters to be referred to Finance Department.

37. No expenditure on any of the heads detailed in section 72-D. (*3*) of the Act, which is in excess of the estimate for that head shown in the budget of the year, shall be incurred without previous consultation with the Finance Department.

Establishment charges.

38. No office may be added to, or withdrawn from, the public service in the province, and the emoluments of no post may be varied, except after consultation with the Finance Department; and, when it is proposed to add a permanent or temporary post to the public serivce, the Finance Department shall decide to what cadre the proposed post will form an addition.

Allowances and pay.

39. No duty allowance, local allowance or travelling allowance and no personal pay shall be sanctioned for any post or class of posts without previous consultation with the Finance Department.

Grants and concessions.

40. No grant of land or assignment of land revenue, except when the grant is made under the ordinary revenue rules of the province, shall be given without previous consultation with the Finance Department; and no concession, grant or lease of mineral or forest rights, of right to water power or of right-of-way or other easement, and no privilege in respect of such rights shall be given without such previous consultation.

Abandonment of revenue, etc.

41. No proposal involving an abandonment of revenue for which credit has been taken in the budget, or involving expenditure for which no provision has been made in the budget, shall be submitted for the consideration of the local Government or the Legislative Council, nor shall any orders giving effect to such proposals issue, without a previous reference to the Finance Department.

Disposal of reports by Finance Department.

42 Every report made by the Finance Department on any matter on which it is required to advise or report under these rules shall be forwarded to the department concerned and shall, if the Finance Department so require, be submitted by the department concerned to the Governor. The Governor may, if he thinks fit, direct that any such report shall be laid before the committee on public accounts.

Presumption of assent of Finance Department.

43. Wherever previous consultation with the Finance Department is required by these rules it shall be open to that Department to prescribe, by general or special order, cases in which its assent may be presumed to have been given.

Agency employment of local Governments.

44. The Governor General in Council may employ the agency of the Governor in Council of any province in the administration of central subjects in so far as such agency may be found convenient.

Cost of agency establishments.

45. The cost of an establishment exclusively employed on the business of agency shall be a charge against all India revenues.

Distribution of cost of joint establishment.

46. If a joint establishment is employed upon the administration of central and provincial subjects, the cost of such establishment may be distributed in such manner as the Governor General in Council and the Governor in Council of the province concerned may agree.

Part IV.—Limitation of control.

Limitation of control by Governor General in Council over transferred subjects.

47. The powers of superintendence, direction and control over the local Government vested in the Governor General in Council under the Act shall in relation to transferred subjects be exercised only for the following purposes, namely:—

(1) to safeguard the administration of central subjects; and

(2) to decide questions arising between two provinces, in cases where the provinces concerned fail to arrive at an agreement.

SCHEDULE I.

(*See rule 3.*)

Part I.—Central Subjects.

1. (*a*) Defence of India, and all matters connected with His Majesty's Naval Military and Air Forces in India, or with His Majesty's Indian Marine Service or with any other force raised in India other than military and armed police wholly maintained by local Governments.

(*b*) Naval and military works and cantonments.

2. External relations, including naturalisation and aliens, and pilgrimages beyond India.

3. Relations with States in India.

4. Political charges.

5. Communications to the extent described under the following heads, namely:—

(*a*) railways and extra-municipal tramways, in so far as they are not classified as provincial subjects under entry 6 (*d*) of Part II of this Schedule;

(*b*) aircraft and all matters connected therewith;

(*c*) inland waterways, to an extent to be declared by rule made by the Governor General in Council or by or under legislation by the Indian legislature.

6. Shipping and Navigation, including shipping and navigation on inland waterways in so far as declared to be a central subject in accordance with entry 5 (c).

7. Light-houses (including their approaches), beacons, lightships, and buoys.

8. Port quarantine, and marine hospitals.

9. Ports declared to be major ports by rule made by the Governor General in Council or by or under legislation by the Indian legislature.

10. Posts, telegraphs and telephones, including wireless installations.

11. Customs, cotton excise duties income-tax, salt, and other sources of all-India revenues.

12. Currency and coinage.

13. Public debt of India.

14. Savings Banks.

15. Department of the Comptroller and Auditor General.

16. Civil law, including laws regarding status, property, civil rights and liabilities and civil procedure.

17. Commerce, including banking and insurance.

18. Trading companies and other associations.

19. Control of production, supply and distribution of any articles in respect of which control by a central authority is declared by rule made by the Governor General in Council or by or under legislation by the Indian legislature to be essential in the public interest.

20. Development of industries, in cases where such development by a central authority is declared by order of the Governor General in Council expedient in the public interest.

21. Control of cultivation and manufacture of opium, and sale of opium for export.

22. Stores and Stationery.

23. Control of petroleum and explosives.

24. Geological survey.

25. Control of mineral development in so far as such control is reserved to the Governor General in Council under rules made or sanctioned by the Secretary of State, and regulation of mines.

26. Botanical survey.

27. Inventions and designs.

28. Copyright.

29. Emigration from, and immigration into, British India and inter-provincial migration.

30. Criminal Law, including criminal procedure.

31. Central police organisation.

32. Control of arms and ammunition.

33. Central agencies and institutions for research (including observatories) and for professional or technical training or promotion of special studies.

34. Ecclesiastical administration, including European cemeteries.

35. Survey of India.

36. Archæology.

37. Zoological survey.

38. Meteorology.

39. Census and Statistics.

40. All-India Services.

41. Legislation in regard to any provincial subject, in so far as such subject is in Part II of this Schedule stated to be subject to legislation by the Indian legislature, and any powers relating to such subject reserved by legislation to the Governor General in Council.

42. Territorial changes, other than intra-provincial, and declaration of laws in connection therewith.

43. Regulation of ceremonial titles, orders, precedence and civil uniform.

44. Immoveable property acquired by, or maintained at, the cost of the Governor General in Council.

45. All matters expressly excepted by the provisions of Part II of this Schedule from inclusion among provincial subjects.

46. All other matters not included among provincial subjects under Part II of this Schedule.

Part II.—Provincial Subjects.

1. Local self-government, that is to say, matters relating to the constitution and powers of municipal corporations, improvement trusts, district boards, mining boards of health and other local authorities established in a province for the purpose of local self-government, exclusive of matters arising under the Cantonments Act, 1910; subject to legislation by the Indian legislature as regards—

(*a*) the powers of such authorities to borrow otherwise than from a provincial Government, and

(*b*) the levying by such authorities of taxation not included in Schedule II to the Scheduled Taxes Rules.

2. Medical administration, including hospitals, dispensaries and asylums and provision for medical education.

3. Public health and sanitation and vital statistics; subject to legislation by the Indian legislature in respect to infectious and contagious diseases to such extent as may be declared by any Act of the Indian legislature.

4. Pilgrimages within British India.

5. Education: provided that—

(*a*) the following subjects shall be excluded, namely:—

(*i*) the Benares Hindu University, and such other Universities constituted after the commencement of these rules, as may be declared by the Governor General in Council to be central subjects, and

(*ii*) Chiefs' Colleges and any institution maintained by the Governor General in Council for the benefit of members of His Majesty's Forces or of other public servants or of the children of such members or servants; and (*b*) the following subjects shall be subject to legislation by the Indian legislature, namely :—

(*i*) the control of the establishments, and the regulation of the constitutions and functions, of Universities constituted after the commencement of these rules, and

(*ii*) the definition of the jurisdiction of any University outside the province in which it is situated, and

(*iii*) for a period of five years from the date of the commencement of these rules, the Calcutta University and the control and organization of secondary education in the presidency of Bengal.

6. Public works included under the following heads, namely :—

(*a*) construction and maintenance of provincial buildings used or intended for any purpose in connection with the administration of the province; and care of historical monuments, with the exception of ancient monuments as defined in section 2(*1*) of the Ancient Monuments Preservation Act, 1904, which are for the time being declared to be protected monuments under section 3(*1*) of that Act: provided that the Governor General in Council may, by notification in the *Gazette of India* remove any such monument from the operation of this exception;

(*b*) roads, bridges, ferries, tunnels, ropeways and causeways and other means of communication, subject to such conditions as regards control over construction and maintenance of means of communication declared by the Governor General in Council to be of military importance, and as regards incidence of special expenditure connected therewith, as the Governor General in Council may prescribe;

(*c*) tramways within municipal areas; and

(*d*) light and feeder railways and extra-municipal tramways in so far as provision for their construction and management is made by provincial legislation; subject to legislation by the Indian legislature in the case of any such railway or tramway which is in physical connection with a main line or is built on the same gauge as an adjacent main line.

7. Water supplies, irrigation and canals, drainage and embankments, water storage and water power; subject to legislation by the Indian legislature with regard to matters of inter-provincial concern or affecting the relations of a province with any other territory.

8. Land Revenue administration, as described under the following heads, namely :—

(*a*) assessment and collection of land revenue;

(*b*) maintenance of land records. survey for revenue purposes, records of rights;

(*c*) laws regarding land tenures, relations of landlords and tenants, collection of rents;

(*d*) Courts of Wards, incumbered and attached estates;

(*e*) land improvement and agricultural loans;

(*f*) colonisation and disposal of Crown lands and alienation of land revenue; and

(*g*) management of Government estates.

9. Famine relief.

10. Agriculture, including research institutes, experimental and demonstration farms, introduction of improved methods, provision for agricultural education, protection against destructive insects and pests and prevention of plant diseases; subject to legislation by the Indian legislature in respect to destructive insects and pests and plant diseases, to such extent as may be declared by any Act of the Indian legislature.

11. Civil Veterinary Department, including provision for veterinary training, improvement of stock, and prevention of animal diseases; subject to legislation by the Indian legislature in respect to animal diseases to such extent as may be declared by any Act of the Indian legislature.

12. Fisheries.

13. Co-operative Societies.

14. Forests, including preservation of game therein; subject to legislation by the Indian legislature as regards disforestation of reserved forests.

15 Land acquisition; subject to legislation by the Indian legislature.

16. Excise, that is to say, the control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or in relation to such articles, but excluding, in the case of opium, control of cultivation, manufacture and sale for export.

17. Administration of justice, including constitution, powers, maintenance, and organisation of Courts of civil and criminal jurisdiction within the province; subject to legislation by the Indian legislature as regards High Courts, Chief Courts, and Courts of Judicial Commissioners, and any Courts of criminal jurisdiction.

18. Provincial law reports.

19. Administrators General and Official Trustees; subject to legislation by the Indian legislature.

20. Non-judicial stamps, subject to legislation by the Indian legislature, and judicial stamps, subject to legislation by the Indian legislature as regards amount of court-fees levied in relation to suits and proceedings in the High Courts under their original jurisdiction.

21. Registration of deeds and documents; subject to legislation by the Indian legislature.

22. Registration of births, deaths and marriages; subject to legislation by the Indian legislature for such classes as the Indian legislature may determine.

23. Religious and charitable endowments.

24. Development of mineral resources which are Government property, subject to rules made or sanctioned by the Secretary of State, but not including the regulation of mines.

25. Development of industries, including industrial research and technical education.

26. Industrial matters included under the following heads, namely:—

(*a*) factories;

(*b*) settlement of labour disputes;

(*c*) electricity;

(*d*) boilers;

(*e*) gas;

(*f*) smoke nuisances; and

(*g*) welfare of labour, including provident funds, industrial insurance (general, health and accident) and housing;

subject as to heads (*a*), (*b*), (*c*), (*d*) and (*g*) to legislation by the Indian legislature.

27. Adulteration of foodstuffs and other articles; subject to legislation by the Indian legislature as regards import and export trade.

28. Weights and measures; subject to legislation by the Indian legislature as regards standards.

29. Ports, except such ports as may be declared by rule made by the Governor General in Council or by or under Indian legislation to be major ports.

30. Inland waterways, including shipping and navigation thereon so far as not declared by the Governor General in Council to be central subjects, but subject as regards inland steam-vessels to legislation by the Indian legislature.

31. Police, including railway police; subject in the case of railway police to such conditions as regards limits of jurisdiction and railway contributions to cost of maintenance as the Governor General in Council may determine.

32. The following miscellaneous matters, namely:—

(*a*) regulation of betting and gambling;

(*b*) prevention of cruelty to animals;

(*c*) protection of wild birds and animals;

(*d*) control of poisons, subject to legislation by the Indian legislature;

(*e*) control of motor vehicles, subject to legislation by the Indian legislature as regards licences valid throughout British India; and

(*f*) control of dramatic performances and cinematographs, subject to legislation by the Indian legislature in regard to sanction of films for exhibition.

33. Control of newspapers, books and printing presses; subject to legislation by the Indian legislature.

34. Coroners.

35. Excluded Areas.

36. Criminal tribes; subject to legislation by the Indian legislature.

37. European vagrancy; subject to legislation by the Indian legislature.

38. Prisons, prisoners (except State prisoners) and reformatories; subject to legislation by the Indian legislature.

39. Pounds and prevention of cattle trespass.

40. Treasure trove.

41. Libraries (except the Imperial Library) and museums (except the Indian Museum, the Imperial War Museum and the Victoria Memorial, Calcutta) and Zoological Gardens.

42. Provincial Government Presses.

43. Elections for Indian and provincial legislatures, subject to rules framed under sections 64 (1) and 72A (4) of the Act.

44. Regulation of medical and other professional qualifications and standards; subject to legislation by the Indian legislature.

45. Local Fund Audit, that is to say, the audit by Government agency of income and expenditure controlled by local bodies.

46. Control, as defined by rule 10, of members of all-India and provincial services serving within the province, and control, subject to legislation by the Indian legislature, of other public services within the province.

47. Sources of provincial revenue, not included under previous heads, whether—

(a) taxes included in the Schedules to the Scheduled Taxes Rules, or

(b) taxes, not included in those Schedules, which are imposed by or under provincial legislation which has received the previous sanction of the Governor General.

48. Borrowing of money on the sole credit of the province, subject to the provisions of the Local Government (Borrowing) Rules.

49. Imposition by legislation of punishments by fine, penalty or imprisonment, for enforcing any law of the province relating to any provincial subject; subject to legislation by the Indian legislature in the case of any subject in respect of which such a limitation is imposed under these rules.

50. Any matter which, though falling within a central subject, is declared by the Governor General in Council to be of a merely local or private nature within the province.

SCHEDULE II.

(See rule 6.)

List of Provincial Subjects for Transfer.

Column I.	Column II.
1. Local self-government, that is to say, matters relating to the constitution and powers of municipal corporations, improvement trusts, district boards, mining boards of health and other local authorities established in the province for purposes of local self-government, exclusive of matters arising under the Cantonments Act, 1910; subject to legislation by the Indian legislature as regards (a) the powers of such authorities to borrow otherwise than from a provincial Government, and (b) the levying by such authorities of taxation not included in Schedule II to the Scheduled Taxes Rules.	All Governors' provinces.
2. Medical administration, including hospitals, dispensaries and asylums, and provision for medical education.	Ditto.
3. Public health and sanitation and vital statistics; subject to legislation by the Indian legislature in respect to infectious and contagious diseases to such extent as may be declared by any Act of the Indian legislature.	Ditto.
4. Pilgrimages within British India	Ditto.

Column I.	Column II.
5. Education, other than European and Anglo-Indian education : provided that— (*a*) the following subjects shall be excluded, namely :— (*i*) the Benares Hindu University and such other Universities, constituted after the commencement of these rules, as may be declared by the Governor General in Council to be central subjects, and (*ii*) Chiefs' Colleges and any institution maintained by the Governor General in Council for the benefit of members of His Majesty's Forces or of other public servants or of the children of such members or servants ; and (*b*) the following subjects shall be subject to legislation by the Indian legislature, namely :— (*i*) the control of the establishments, and the regulation of the constitutions and functions, of Universities constituted after the commencement of these rules, and (*ii*) the definition of the jurisdiction of any University outside the province in which it is situated, and (*iii*) for a period of five years from the date of the commencement of these rules, the Calcutta University and the control and organization of secondary education in the presidency of Bengal.	All Governors' provinces.
6. Public Works included under the following heads, namely:— (*a*) construction and maintenance of provincial buildings, other than residences of Governors of provinces used or intended for any purpose in connection with the administration of the province on behalf of the departments of Government concerned, save in so far as the Governor may assign such work to the departments using or requiring such buildings ; and care of historical monuments, with the exception of ancient monuments as defined in section 2 (*1*) of the Ancient Monuments Preservation Act, 1904, which are for the time being declared to be protected monuments under section 3 (*1*) of that Act : provided that the Governor General in Council may, by notification in the *Gazette of India*, remove any such monument from the operation of this exception ; (*b*) roads, bridges, ferries, tunnels, ropeways and causeways, and other means of communication, subject to such conditions as regards control over construction and maintenance of means of communication declared by the Governor General in Council to be of military importance and as regards incidence of special expenditure connected therewith, as the Governor General in Council may prescribe ; (*c*) tramways within municipal areas ; and	All Governors' provinces, except Assam.
(*d*) light and feeder railways and extra municipal tramways in so far as provision for their construction and management is made by provincial legislation ; subject to legislation by the Indian legislature in the case of any such railway or tramway which is in physical connection with a main line or is built on the same gauge as an adjacent main line.	Ditto.

Column I.	Column II.
7. Agriculture, including research institutes, experimental and demonstration farms, introduction of improved methods, provision for agricultural education, protection against destructive insects and pests and prevention of plant diseases; subject to legislation by the Indian legislature in respect to destructive insects and pests and plant diseases to such extent as may be declared by any Act of the Indian legislature.	All Governors' provinces.
8. Civil Veterinary Department, including provision for veterinary training, improvement of stock, and prevention of animal diseases; subject to legislation by the Indian legislature in respect to animal diseases to such extent as may be declared by any Act of the Indian legislature.	Ditto.
9. Fisheries	All Governors' provinces, except Assam.
10. Co-operative Societies	All Governors' provinces.
11. Forests, including preservation of game therein; subject to legislation by the Indian legislature as regards disforestation of reserved forests.	Bombay.
12. Excise, that is to say, the control of production, manufacture, possession, transport, purchase, and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or in relation to such articles, but excluding, in the case of opium, control of cultivation, manufacture and sale for export.	All Governors' provinces, except Assam.
13. Registration of deeds and documents; subject to legislation by the Indian legislature.	All Governors' provinces.
14. Registration of births, deaths and marriages; subject to legislation by the Indian legislature for such classes as the Indian legislature may determine.	Ditto.
15. Religious and charitable endowments	Ditto.
16. Development of industries, including industrial research and technical education.	Ditto.
17. Adulteration of food-stuffs and other articles; subject to legislation by the Indian legislature as regards import and export trade.	Ditto.
18. Weights and measures; subject to legislation by the Indian legislature as regards standards.	Ditto.
19. Museums (except the Indian Museum, Imperial War Museum, and the Victoria Memorial, Calcutta) and Zoological Gardens.	Ditto.

SCHEDULE III.

(*See Rule 25.*)

1. The following general rules shall be observed by every authority which sanctions expenditure from Government revenues:—

(1) Every public officer should exercise the same vigilance in respect of expenditure incurred from Government revenues as a person of ordinary prudence would exercise in respect of the expenditure of his own money.

(2) Moneys borrowed on the security of allocated revenues should be expended on those objects only for which, as provided by rules made under the Act, moneys may be so borrowed.

(3) Except where such order is of general application, no authority should exercise its powers of sanctioning expenditure to pass an order which will be, directly or indirectly, to its own pecuniary advantage.

(4) Unless the amount of the expenditure is insignificant, Government revenues should not be utilised for the benefit of a particular person or section of the community except when—

(*i*) a claim for the amount could be enforced in a court of law;

(*ii*) the expenditure is in pursuance of a recognised policy or custom; or (*iii*) the object is such that the expenditure thereon may be deemed to be of a charitable nature.

(5) No authority should sanction any expenditure which is likely to involve at a later date expenditure beyond its own powers of sanction.

(6) The amount of allowances, such as local or travelling allowances, granted to meet special expenditure of a particular type should be so regulated that the allowances are not on the whole sources of profit to the recipient.

2. The previous sanction of the Secretary of State in Council is necessary—

(*i*) (*a*) to the creation of a permanent appointment which would necessitate an increase in the cadre of an all-India Service;

(*b*) to the abolition of any appointment in the cadre of an all-India Service;

(*c*) to any increase or reduction of the pay of any appointment in the cadre of an all-India Service;

(*ii*) to the creation of any temporary appointment the maximum pay of which exceeds Rs. 1,000 a month and which lasts or is expected to last for more than two years, or, if the appointment be for settlement work, for more than five years;

(*iii*) to the grant to any officer of an allowance which is not admissible under rules made under section 96-B. of the Act, or, in cases in which those rules do not apply, under the terms of any authorised Code issued or maintained under the authority of the said rules;

(*iv*) to the grant to any retiring officer of a pension or gratuity which is not admissible under the rules for the time being in force under section 96-B. of the Act;

(*v*) to the grant of pensions or gratuities to non-officials, except in the case of—

(*a*) compassionate gratuities to the families of Government servants left in indigent circumstances,

(*b*) pensions or gratuities to the families of officers dying while employed in Government service granted in accordance with such rules as may be made in this behalf by the Secretary of State in Council,

(*c*) pensions or gratuities to non-officials injured or the families of non-officials killed during services rendered to the State, and

(*d*) pensions or gratuities to non-officials who have rendered exceptional services to Government;

(*vi*) to any increase of the contract, sumptuary or furniture grant of the Governor;

(*vii*) to any expenditure upon the purchase of stores, either in the United Kingdom or in India, otherwise than in accordance with such rules as may be made in this behalf by the Secretary of State in Council; and

(*viii*) to any expenditure upon railway carriages or water-borne vessels specially reserved for the use of high officials, otherwise than in connection with the maintenance of the railway carriages already set apart with the sanction of the Secretary of State in Council for the exclusive use of the Governor.

Note.—Gratuities sanctioned under sub-clause (*v*) (*a*) of this paragraph should be subject as to total to such annual limit as the Secretary of State in Council may prescribe.

3. The previous sanction of the Governor General in Council is necessary—

(*i*) subject to the provisions of paragraph 2 (*i*) of this Schedule—

(*a*) to the creation of a permanent appointment on a maximum rate of pay higher than Rs. 1,000 a month;

(*b*) to the increase of the maximum pay of a sanctioned permanent appointment to an amount in excess of Rs. 1,000 a month;

(*ii*) to expenditure on a residence of the Governor in excess of Rs. 75,000 in any year;

(*iii*) to expenditure upon irrigation and navigation works, including docks and harbours, and upon projects for drainage, embankment and water-storage and the utilisation of water-power, in any of the following cases, namely:—

(*a*) where the project concerned materially affects the interests of more than one local Government;

(*b*) where the original estimate exceeds 50 lakhs of rupees;

(*c*) where a revised estimate exceeds by 25 *per centum* or 50 lakhs of rupees, whichever is less, an original estimate sanctioned by the Governor General in Council;

(*d*) where a further revised estimate is proposed, after one revised estimate has already been sanctioned by the Governor General in Council; and (*iv*) to revisions, involving additional expenditure exceeding Rs. 15 lakhs a year, of permanent establishments serving in departments dealing with reserved subjects.

4. Apart from the restrictions imposed by paragraphs 1, 2 and 3 of this Schedule the power of sanctioning expenditure conferred upon the local Government by rule 25 shall be unlimited.

SCHEDULE IV.

(*See rule 27.*)

1. The local Governments mentioned below shall, save as hereinafter provided, make in every year provision in their budgets for expenditure upon relief of, and insurance against, famine of such amounts respectively (hereinafter referred to as the annual assignments) as are stated against each :—

	Rs.
Madras	6,61,000
Bombay	63,60,000
Bengal	2,00,000
United Provinces	39,60,000
Punjab	3,81,000
Burma	67,000
Bihar and Orissa	11,62,000
Central Provinces	47,26,000
Assam	10,000

2. The provision shall be made in the shape of a demand for a grant, and the estimates shall show, under the major heads concerned, the method in which it is proposed to utilise the grant.

3. The grant shall not be expended save upon the relief of famine or upon the construction of protective irrigation works or other works for the prevention of famine. Any portion of the grant which is not so spent shall be transferred to the famine insurance fund of the province.

4. The famine insurance fund shall consist of the unexpended balances of the annual assignments for each year, transferred to the fund under paragraph 3 of this Schedule, together with any interest which may accrue on these balances.

5. The local Government may, in any year when the accumulated total of the famine insurance fund of the province is not less than six times the amount of the annual assignment, suspend temporarily the provision of the annual assignment.

6. The famine insurance fund shall form part of the general balances of the Governor General in Council, who shall pay at the end of each year interest on the average of the balances held in the fund on the last day of each quarter. The interest shall be calculated at the average rate at which the Governor General in Council has during the year borrowed money by the issue of treasury bills. Such interest shall be credited to the fund.

7. The local Government may at any time expend the balance at its credit in the famine insurance fund for any of the purposes specified in paragraph 3 of this Schedule.

8. Such balances may further be utilised in the grant of loans to cultivators, either under the Agriculturists' Loans Act, 1884, or for relief purposes. When such loans have been granted, payments of interest on loans and repayments of principal shall be credited to the fund as they occur, and irrecoverable loans written off shall form a final charge against the fund.

9. In case of doubt whether the purpose for which it is proposed to spend any portion of the annual assignment or the famine insurance fund is one of the purposes specified in paragraph 3 of this Schedule, the decision of the Governor shall be final.

10. The annual accounts of the annual assignments and of the fund shall be maintained in the forms annexed to this Schedule.

Form A.

Statement showing the utilisation of the Famine Insurance Grant for the year ending the 31st March———.

WHERE INCLUDED IN THE ACCOUNTS.		On column for each Province.	Total.
Section.	Major Head.		
Total expenditure from the grant			
Add : Balance transferred to the Famine Insurance Fund ...			
Deduct : Amount transferred from the Famine Insurance Fund for expenditure.			
Net grant for the year.			

Form B.

Account of the Famine Insurance Fund for the year ending the 31st March——.

Province.	Opening Balance.	ADDITIONS DURING THE YEAR.				WITHDRAWALS DURING THE YEAR.			Closing Balance.
		Unexpended balance of grant for the year.	Repayments of principal of Takavi loans.	Interest.	Total.	For Famine Expenditure.	For the grant of Takavi loans.	Total.	

Note.—A sum of Rs.———debited to the Fund during the year on account of the grant of Takavi loans was written off during the year as irrecoverable.

Form C.

Statement showing the progressive utilisation of the annual Famine Insurance Grants and of the balances thereof from the year 1921-22 to the end of the year 1926-27 in the Province of Bombay.

Year. 1	Grant of the year. 2	Receipts from sources other than the annual grant.		Expenditure.			Net credit (+) or debit (—) on account of Takavi loans. 8	Net result of the year's transactions credit (+) debit (—). 9	Balance at credit from the commencement of the scheme to the end of the year. 10
		Interest on Balances of the Fund. 3	Interest on Takavi loans granted from the Fund. 4	On Famine Relief. 5	On Protective Irrigation Works. 6	On other Protective Works. 7			
1921-22	5,00,000	...	...	2,00,000	1,00,000	25,000	...	+1,75,000	1,75,000
1922-23	5,00,000	8,000	...	...	2,00,000	50,000	—1,25,000	+1,33,000	3,08,000
1923-24	5,00,000	15,000	4,000	6,50,000	...	...	—1,00,000	—2,31,000	77,000
1924-25	5,00,000	1,000	6,000	...	4,00,000	20,000	+75,000	+1,62,000	2,39,000
1925-26	5,00,000	10,000	2,000	7,51,000	..	...	...	—2,39,000	...
1926-27	5,00,000	...	4,000	...	4,00,000	...	+1,00,000	+2,04,000	2,04,000
Total ...	30,00,000	34,000	16,000	16,01,000	11,00,000	95,000	—50,000*	+2,04,000	2,04,000

* Of this amount a sum of Rs. 20,000 was written off as irrecoverable. There is thus a balance of Rs. 30,000 only at credit of the Famine Insurance Fund on account of takavi loan which, together with the cash balance at its credit of Rs. 2,04,000 (column 10), makes a total of Rs. 2,34,000 forming the assets of the Fund at the end of the year 1926-27.

RULES UNDER SECTION 52 (*3*) OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 52 (*3*) and section 129A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules :—

Short title.

1. These rules may be called the Transferred Subjects (Temporary Administration) Rules.

Vacancy in office of minister.

2. In cases of emergency where, owing to a vacancy, there is no minister in charge of a transferred subject, the Governor—

(1) shall, if another minister is available and willing to take charge of the subject, appoint such minister to administer the subject temporarily; or

(2) may, if the vacancy cannot be provided for in the manner aforesaid, himself temporarily administer the subject, and while so doing shall exercise in relation to such subject all such powers, in addition to his own powers as Governor, as he could exercise if he were the minister in charge thereof.

Certification of necessity.

3. In any case in which the Governor himself undertakes temporarily to administer a subject under these rules, he shall certify that an emergency has arisen in which, owing to a ministerial vacancy, it is necessary for him so to do, and shall forthwith forward a copy of such certificate for the information of the Governor General in Council.

Administration to be temporary.

4. Such temporary administration by the Governor shall only continue until a minister has been appointed to administer the subject.

Certification of legislation.

5. The Governor shall not exercise in respect of such subject the powers conferred on him by section 72E. of the Government of India Act.

RULES UNDER SECTION 80A. (*3*) (*a*) OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 80A. (*3*) (*a*) and section 129A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules :—

Short title.

1. These rules may be called the Scheduled Taxes Rules.

Taxes which may be imposed for purposes of local Government.

2. The Legislative Council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing, for the purposes of the local Government, any tax included in Schedule I to these rules.

Taxes which may be imposed for purposes of local authorities.

3. The Legislative Council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing, or authorising any local authority to impose, for the purposes of such local authority, any tax included in Schedule II to these rules.

Additions to Schedules.

4. The Governor General in Council may at any time, by order, make any addition to the taxes enumerated in Schedules I and II to these rules.

Saving.

5. Nothing in these rules shall affect the right of a local authority to impose a tax without previous sanction or with the previous sanction of the local Government when such right it conferred upon it by any law for the time being in force.

SCHEDULE I.

1. A tax on land put to uses other than agricultural.
2. A tax on succession or on acquisition by survivorship in a joint family.
3. A tax on any form of betting or gambling permitted by law.
4. A tax on advertisements.
5. A tax on amusements.
6. A tax on any specified luxury.
7. A registration fee.
8. A stamp-duty other than duties of which the amount is fixed by Indian legislation.

SCHEDULE II.

(*In this Schedule the word " tax " includes a cess, rate, duty or fee.*)

1. A toll.
2. A tax on land or land values.
3. A tax on buildings.
4. A tax on vehicles or boats.
5. A tax on animals.
6. A tax on menials and domestic servants.
7. An octroi.

8. A terminal tax on goods imported into a local area in which an octroi was levied on or before the 6th July 1917.

9. A tax on trades, professions and callings.

10. A tax on private markets.

11. A tax imposed in return for services rendered, such as—

(*a*) a water rate,

(*b*) a lighting rate,

(*c*) a scavenging, sanitary or sewage rate,

(*d*) a drainage tax,

(*e*) fees for the use of markets and other public conveniences.

RULES UNDER SECTION 80-A. (*3*) (*h*) OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 80-A (*3*) (*h*) and section 129-A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules:—

1. These rules may be called the Local Legislatures (Previous Sanction) Rules. **Short title.**

2. A local legislature may not repeal or alter without the previous sanction of the Governor General— **Laws requiring previous sanction.**

(1) any law made by any authority in British India before the commencement of the Indian Councils Act, 1861: provided that the Governor General in Council may, by notification in the *Gazette of India*, declare that this provision shall not apply to any such law which he may specify and, if he does so, previous sanction shall not thereafter be necessary to the alteration or repeal of that law; or

(2) any law specified in the Schedule to these rules or any law made by the Governor General in Council amending a law so specified.

SCHEDULE.

Year.	No.	Short title.
1860	XLV	The Indian Penal Code.
1864	III	The Foreigners Act, 1864.
1865	III	The Carriers Act, 1865.
,,	X	The Indian Succession Act, 1865.
,,	XV	The Parsi Marriage and Divorce Act, 1865.
,,	XXI	The Parsi Intestate Succuession Act, 1865.
1866	XXI	The Native Converts' Marriage Dissolution Act, 1866.
,,	XXVIII	The Trustees' and Mortgagees' Powers Act, 1866.
1867	XXV	The Press and Registration of Books Act, 1867.
1869	IV	The Indian Divorce Act, 1869.
1870	XXI	The Hindu Wills Act, 1870.
1872	I	The Indian Evidence Act, 1872.
,,	III	The Special Marriage Act, 1872.
,,	IX	The Indian Contract Act, 1872.
,,	XV	The Indian Christian Marriage Act, 1872.
1873	X	The Indian Oaths Act, 1873.
1874	III	The Married Women's Property Act, 1874.
,,	XIV	The Scheduled Districts Act, 1874.
,,	XV	The Laws Local Extent Act, 1874.
1875	IX	The Indian Majority Act, 1875.
1877	I	The Specific Relief Act, 1877.
1881	V	The Probate and Administration Act, 1881.
,,	XIII	The Fort William Act, 1881.
,,	XXVI	The Negotiable Instruments Act, 1881.
1882	II	The Indian Trusts Act, 1882.
,,	IV	The Transfer of Property Act, 1882.
,,	VII	The Powers-of-Attorney Act, 1882.
1889	IV	The Indian Merchandise Marks Act, 1889.
,,	VII	The Succession Certificate Act, 1889.
,,	XV	The Indian Official Secrets Act, 1889.
1890	VIII	The Guardians and Wards Act, 1890.
,,	IX	The Indian Railways Act, 1890.
1891	XVIII	The Bankers' Books Evidence Act, 1891.
1895	XV	The Crown Grants Act, 1895.

Year.		No.	Short title.
1897	...	III	The Epidemic Diseases Act, 1897.
,,	...	X	The General Clauses Act, 1897.
,,	...	XIV	The Indian Short Titles Act, 1897.
1898	...	V	The Code of Criminal Procedure, 1898.
,,	...	IX	The Live-stock Importation Act, 1898.
1899	...	IX	The Indian Arbitration Act, 1899.
1903	...	XIV	The Indian Foreign Marriage Act, 1903.
,,	...	XV	The Indian Extradition Act, 1903.
1908	...	V	The Code of Civil Procedure, 1908.
,,	...	IX	The Indian Limitation Act, 1908.
,,	...	XIV	The Indian Criminal Law Amendment Act, 1908.
,,	...	XV	The Indian Ports Act, 1908.
,,	...	XVI	The Indian Registration Act, 1908.
1909	...	III	The Presidency-towns Insolvency Act, 1909.
,,	...	IV	The Whipping Act, 1909.
,,	...	VII	The Anand Marriage Act, 1909.
1910	...	I	The Indian Press Act, 1910.
1911	...	X	The Seditious Meetings Act, 1911.
1912	...	IV	The Indian Lunacy Act, 1912.
,,	...	V	The Provident Insurance Societies Act, 1912.
,,	...	VI	The Indian Life Assurance Companies Act, 1912.
1913	...	VI	The Mussalman Wakf Validating Act, 1913.
,,	...	VII	The Indian Companies Act, 1913.
1914	...	II	The Destructive Insects and Pests Act, 1914.
,,	...	III	The Indian Copyright Act, 1914.
,,	...	IX	The Local Authorities Loans Act, 1914.
1916	...	XV	The Hindu Disposition of Property Act, 1916.
1917	...	I	The Inland Steam Vessels Act, 1917.
,,	...	XXVI	The Transfer of Property (Validating) Act, 1917.
1918	..	X	The Usurious Loans Act, 1918.
1919	...	XI	The Anarchical and Revolutionary Crimes Act, 1919.
1920	...	V	The Provincial Insolvency Act, 1920.
,,	...	X	The Indian Securities Act, 1920.
,,	...	XIV	The Charitable and Religious Trusts Act, 1920.

RULES UNDER SECTION 81A. (*1*) OF THE GOVERNMENT OF INDIA ACT.

In exercise of the powers conferred by section 81A. (*1*) and section 129A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules :—

Short title.

1. These rules may be called the Reservation of Bills Rules.

Bills which must be reserved.

2. The Governor of any Governor's province shall reserve for the consideration of the Governor General any Bill, not having been previously sanctioned by the Governor General, which has been passed by the Legislative Council of the province and is presented to the Governor for his assent, if the Bill appears to the Governor to contain provisions—

(*a*) affecting the religion or religious rites of any class of British subjects in British India, or

(*b*) regulating the constitution or functions of any University, or

(*c*) having the effect of including within a transferred subject matters which have hitherto been classified as reserved subjects, or

(*d*) providing for the construction or management of a light feeder railway or tramway other than a tramway within municipal limits, or

(*e*) affecting the land revenue of a province either so as to—

(*i*) prescribe a period or periods within which any temporarily settled estate or estates may not be reassessed to land revenue, or

(*ii*) limit the extent to which the assessment to land revenue of such an estate or estates may be made or enhanced, or

(*iii*) modify materially the general principles upon which land revenue has hitherto been assessed,

if such prescription, limitation or modification appears to the Governor to be likely seriously to affect the public revenues of the province.

Bills which may be reserved.

3. The Governor of any Governor's province may reserve for the consideration of the Governor General any Bill, not having been previously sanctioned by the Governor General, which has been passed by the Legislative Council of the province and is presented to the Governor for his assent, if the Bill appears to the Governor—

(*a*) to affect any matter wherewith he is specially charged under his Instrument of Instructions, or

(*b*) to affect any central subject, or

(*c*) to affect the interests of another province.

RULES FOR LOCAL LEGISLATIVE COUNCILS.

In exercise of the powers conferred by sub-section (*6*) of section 72-D and sub-section (*1*) of section 129A of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules for the Legislative Council of the Governor of . . . . . .

Short title.

1. These rules may be called the . . . Legislative Council Rules.

Definitions.

2. In these rules—

'Council' means the Legislative Council of . . ;

'Finance Member' means the member of the Council appointed by the Governor to perform the functions of the Finance Member under these rules;

'gazette' means the . . . . . Gazette;

'member' means a member of the Council;

'member of the Government' means a member of the Executive Council or a Minister, and includes any member to whom such member may delegate any function assigned to him under these rules;

'resolution' means a motion for the purpose of discussing a matter of general public interest;

'standing order' means a standing order of the Council; and

'Secretary' means a Secretary to the Council, and includes any person for the time being performing the duties of the Secretary.

Temporary Chairman.

3. At the commencement of every Session, the Governor shall nominate from amongst the members of the Council a panel of not more than four Chairmen, any one of whom may preside over the Council in the absence of the President and Deputy President, when so requested by the President or, in his absence, by the Deputy President.

Power of persons presiding.

4. The Deputy President and any Chairman of the Council shall, when presiding over the Council, have the same powers as the President when so presiding, and all references to the President in the rules and standing orders shall, in these circumstances, be deemed to be references to any such person so presiding.

Appointment of the Secretary.

5. The Secretary and such assistants of the Secretary as the Governor considers to be necessary shall be appointed by order in writing by the Governor and shall hold office during his pleasure.

Allotment of time for non-official business and precedence of business.

6. The Governor, after considering the state of business of the Council, shall, at the commencement of each Session, allot as many days as are in his opinion compatible with the public interests for the business of non-official members in the Council, and may from time to time during the Session alter such allotment, and on these days such business shall have precedence. At all other times Government business shall have precedence.

Power to disallow questions.

7. The Governor may within the period of notice disallow any question or any part of a question on the ground that it relates to a matter which is not primarily the concern of the local Government, and if he does so, the question or part of the question shall not be placed on the list of questions.

Subject-matter of questions.

8. (1) A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognisance of the member to whom it is addressed;

Provided that, no question shall be asked, in regard to any of the following subjects, namely :—

(*i*) any matter affecting the relations of His Majesty's Government, or of the Government of India, or of the Governor or the Governor in Council, with any foreign State;

(*ii*) any matter affecting the relations of any of the foregoing authorities with any Prince or Chief under the suzerainty of His Majesty, or relating to the affairs of any such Prince or Chief or to the administration of the territory of any such Prince or Chief; and (*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor on the point whether any question is or is not within the restrictions imposed by sub-rule (1) shall be final.

Questions regarding controversy with higher authorities.

9. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

Supplementary questions.

10. Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the President shall disallow any supplementary question if, in his opinion, it infringes the rules as to the subject-matter of questions, and in that case the question shall not appear on the record of the Proceedings of the Council.

Motions for adjournments.

11. A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Governor, which shall not be refused except for reasons which would justify the disallowance of a resolution.

Restrictions on power to make motion.

12. The right to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—

(*i*) not more than one such motion shall be made at the same sitting;

(*ii*) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;

(*iii*) the motion must not revive discussion on a matter which has been discussed in the same Session;

(*iv*) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given; and

(*v*) the motion must not deal with a matter on which a resolution could not be moved.

Quorum.

13. The presence of at least...members shall be necessary to constitute a meeting of the Council for the exercise of its powers.

Language of the Council.

14. The business of the Council shall be transacted in English, but any member who is not fluent in English may address the Council in any recognised vernacular of the province, provided that the President may call on any member to speak in any language in which he is known to be proficient.

Decision on points of order.

15. (1) The President shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point.

Irrelevance or repetition.

16. The President, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Power to order withdrawal of member.

17. (1) The President shall preserve order and have all powers necessary for the purpose of enforcing his decisions on all points of order.

(2) He may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Council, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same Session, the President may direct the member to absent himself from the meetings of the Council for any period not longer than the remainder of the Session, and the member so directed shall absent himself accordingly.

(3) The President may in the case of grave disorder arising in the Council suspend any sitting for a time to be named by him.

Publication of Bills.

18. The Governor may order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it) in the *Gazette*, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Notice of motion for leave to introduce Bills.

19. (1) Any member, other than a member of the Government, desiring to move for leave to introduce a Bill shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and a full Statement of Objects and Reasons.

(2) If the Bill is a Bill which under the Government of India Act requires sanction, the member shall annex to the notice a copy of such sanction, and the notice shall not be valid until this requirement is complied with.

(3) If any question arises whether a Bill is or is not a Bill which requires sanction under the Government of India Act, the question shall be referred to the authority which would have power to grant the sanction if it were necessary, and the decision of that authority on the question shall be final.

(4) The period of notice of a motion for leave to introduce a Bill under this rule shall be as follows, namely :—

(*a*) if the Bill relates to a transferred subject—fifteen days;

(*b*) if the Bill relates to a reserved subject—one month or, if the Governor so directs, a further period not exceeding in all two months.

Publication.

20. As soon as may be after a Bill has been introduced the Bill, unless it has already been published, shall be published in the *Gazette*.

Effect of certification by Governor.

21. If the Governor certifies that a Bill or any clause of a Bill or any amendment to a Bill affects the safety or tranquility of a Province or any part thereof, and directs that no proceedings or no further proceedings shall be taken thereon, all notices of motions in connection with the subject-matter of the certificate shall lapse, and if any such motion has not already been set down in the list of business, it shall not be so set down. If any such motion has been set down on the list of business, the President shall, when the motion is reached, inform the Council of the Governor's action, and the Council shall forthwith without debate proceed to the next item of business.

Power to disallow resolutions.

22. The Governor may within the period of notice disallow any resolution or any part of a resolution, on the ground that it cannot be moved without detriment to the public interest, or on the ground that it relates to a matter which is not primarily the concern of the local Government, and if he does so the resolution or part of the resolution shall not be placed on the list of business.

Restrictions on subjects for discussion.

23. (1) Every resolution shall be in the form of a specific recommendation addressed to the Government, and no resolution shall be moved in regard to any of the following subjects, namely :—

(*i*) any matter affecting the relations of His Majesty's Government, or of the Government of India, or of the Governor or the Governor in Council, with any foreign State;

(*ii*) any matter affecting the relations of any of the foregoing authorities, with any Prince or Chief under the suzerainty of His Majesty, or relating to the affairs of any such Prince or Chief or to the administration of the territory of any such Prince or Chief; and

(*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor on the point whether any resolution is or is not within the restrictions imposed by sub-rule (1) shall be final.

Copy to Government.

24. A copy of every resolution which has been passed by the Council shall be forwarded to the Government, but any such resolution shall have effect only as a recommendation to the Government.

The Budget.

25. A statement of the estimated annual expenditure and revenue of the Province (hereinafter referred to as " the Budget ") shall be presented to the Council on such day as the Governor may appoint.

Demands for grants.

26. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government, provided that the Finance Member may in his discretion include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure, such as Famine Relief and Insurance and Interest, which cannot readily be classified under particular Departments. Demands affecting reserved and transferred subjects shall, so far as may be possible, be kept distinct.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Council.

Stages of the Budget debate.

27. The Budget shall be dealt with by the Council in two stages, namely :—

(*i*) a general discussion; and

(*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor on the point whether any question is or is not within the restrictions imposed by sub-rule (1) shall be final.

Questions regarding controversy with higher authorities.

9. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

Supplementary questions.

10. Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the President shall disallow any supplementary question if, in his opinion, it infringes the rules as to the subject-matter of questions, and in that case the question shall not appear on the record of the Proceedings of the Council.

Motions for adjournments.

11. A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Governor, which shall not be refused except for reasons which would justify the disallowance of a resolution.

Restrictions on power to make motion.

12. The right to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :—

(*i*) not more than one such motion shall be made at the same sitting;

(*ii*) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;

(*iii*) the motion must not revive discussion on a matter which has been discussed in the same Session;

(*iv*) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given; and

(*v*) the motion must not deal with a matter on which a resolution could not be moved.

Quorum.

13. The presence of at least...members shall be necessary to constitute a meeting of the Council for the exercise of its powers.

Language of the Council.

14. The business of the Council shall be transacted in English, but any member who is not fluent in English may address the Council in any recognised vernacular of the province, provided that the President may call on any member to speak in any language in which he is known to be proficient.

Decision on points of order.

15. (1) The President shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point.

Irrelevance or repetition.

16. The President, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Power to order withdrawal of member.

17. (1) The President shall preserve order and have all powers necessary for the purpose of enforcing his decisions on all points of order.

(2) He may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Council, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same Session, the President may direct the member to absent himself from the meetings of the Council for any period not longer than the remainder of the Session, and the member so directed shall absent himself accordingly.

(3) The President may in the case of grave disorder arising in the Council suspend any sitting for a time to be named by him.

Publication of Bills.

18. The Governor may order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it) in the *Gazette*, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Notice of motion for leave to introduce Bills.

19. (1) Any member, other than a member of the Government, desiring to move for leave to introduce a Bill shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and a full Statement of Objects and Reasons.

(2) If the Bill is a Bill which under the Government of India Act requires sanction, the member shall annex to the notice a copy of such sanction, and the notice shall not be valid until this requirement is complied with.

(3) If any question arises whether a Bill is or is not a Bill which requires sanction under the Government of India Act, the question shall be referred to the authority which would have power to grant the sanction if it were necessary, and the decision of that authority on the question shall be final.

(4) The period of notice of a motion for leave to introduce a Bill under this rule shall be as follows, namely :—

(*a*) if the Bill relates to a transferred subject—fifteen days;

(*b*) if the Bill relates to a reserved subject—one month or, if the Governor so directs, a further period not exceeding in all two months.

Publication.

20. As soon as may be after a Bill has been introduced the Bill, unless it has already been published, shall be published in the *Gazette*.

Effect of certification by Governor.

21. If the Governor certifies that a Bill or any clause of a Bill or any amendment to a Bill affects the safety or tranquility of a Province or any part thereof, and directs that no proceedings or no further proceedings shall be taken thereon, all notices of motions in connection with the subject-matter of the certificate shall lapse, and if any such motion has not already been set down in the list of business, it shall not be so set down. If any such motion has been set down on the list of business, the President shall, when the motion is reached, inform the Council of the Governor's action, and the Council shall forthwith without debate proceed to the next item of business.

Power to disallow resolutions.

22. The Governor may within the period of notice disallow any resolution or any part of a resolution, on the ground that it cannot be moved without detriment to the public interest, or on the ground that it relates to a matter which is not primarily the concern of the local Government, and if he does so the resolution or part of the resolution shall not be placed on the list of business.

Restrictions on subjects for discussion.

23. (1) Every resolution shall be in the form of a specific recommendation addressed to the Government, and no resolution shall be moved in regard to any of the following subjects, namely :—

(*i*) any matter affecting the relations of His Majesty's Government, or of the Government of India, or of the Governor or the Governor in Council, with any foreign State;

(*ii*) any matter affecting the relations of any of the foregoing authorities, with any Prince or Chief under the suzerainty of His Majesty, or relating to the affairs of any such Prince or Chief or to the administration of the territory of any such Prince or Chief; and

(*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor on the point whether any resolution is or is not within the restrictions imposed by sub-rule (1) shall be final.

Copy to Government.

24. A copy of every resolution which has been passed by the Council shall be forwarded to the Government, but any such resolution shall have effect only as a recommendation to the Government.

The Budget.

25. A statement of the estimated annual expenditure and revenue of the Province (hereinafter referred to as "the Budget") shall be presented to the Council on such day as the Governor may appoint.

Demands for grants.

26. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government, provided that the Finance Member may in his discretion include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure, such as Famine Relief and Insurance and Interest, which cannot readily be classified under particular Departments. Demands affecting reserved and transferred subjects shall, so far as may be possible, be kept distinct.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Council.

Stages of the Budget debate.

27. The Budget shall be dealt with by the Council in two stages, namely :—

(*i*) a general discussion; and

(*ii*) the voting of demands for grants.

General discussions.

28. (1) On a day to be appointed by the Governor subsequent to the day on which the Budget is presented and for such time as the Governor may allot for this purpose, the Council shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the Council.

(2) The Finance Member shall have a general right of reply at the end of the discussion.

(3) The President may, if he thinks fit, prescribe a time-limit for speeches.

Voting of grants.

29. (1) Not more than twelve days shall be allotted by the Governor for the discussion of the demands of the Local Government for grants.

(2) Of the days so allotted, not more than two days shall be allotted by the Governor to the discussion of any one demand. As soon as the maximum limit of time for discussion is reached, the President shall forthwith put every question necessary to dispose of the demand under discussion.

(3) On the last day of the allotted days at o'clock, the President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

Motions at this stage.

30. (1) No motion for appropriation can be made except on the recommendation of the Governor communicated to the Council.

(2) Motions may be moved at this stage to omit or reduce any grant or any item in a grant, but not to increase or alter the destination of a grant.

(3) When several motions relating to the same demand are offered, they shall be discussed in the order in which the heads to which they relate appear in the Budget.

(4) No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed.

Excess grants.

31. When money has been spent on any service for which the vote of Council is necessary during any financial year in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Council by the Finance Member and shall be dealt with in the same way by the Council as if it were a demand for a grant.

Supplementary or additional grants.

32. (1) An estimate shall be presented to the Council for a supplementary or additional grant when—

(*i*) the amount voted in the Budget of a grant is found to be insufficient for the purposes of the current year, or

(*ii*) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the Budget for that year.

(2) Supplementary or additional estimates shall be dealt with in the same way by the Council as if they were demands for grants.

Constitution of Committee on Public Accounts.

33. (1) As soon as may be after the commencement of each financial year, a Committee on Public Accounts shall be constituted for the purpose of dealing with the audit and appropriation accounts of the Province and such other matters as the Finance Department may refer to the Committee.

(2) The Committee on Public Accounts shall consist of not more than . . . members including the Chairman, of whom not less than two-thirds shall be elected by the non-official members of the Council according to the principle of proportionate representation by means of the single transferable vote. The remaining members shall be nominated by the Governor.

(3) The Finance Member shall be Chairman of the Committee, and, in the case of an equality of votes on any matter, shall have a second or casting vote.

Control of Committee on Public Accounts.

34. (1) In scrutinising the audit and appropriation accounts of the Province, it shall be the duty of the Committee to satisfy itself that the money voted by the Council has been spent within the scope of the demand granted by the Council.

(2) It shall be the duty of the Committee to bring to the notice of the Council—

(*i*) every re-appropriation from one grant to another grant;

(*ii*) every re-appropriation within a grant which is not made in accordance with the rules regulating the functions of the Finance Department, or which has the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Council; and

(*iii*) all expenditure which the Finance Department has requested should be brought to the notice of the Council.

RULES FOR THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY.

In exercise of the powers conferred by sub-sections (*1*) and (*5*) of section 67 and sub-section (*1*) of section 129-A. of the Government of India Act, the Governor General in Council, with the sanction of the Secretary of State in Council, is pleased to make the following rules for the Chambers of the Indian Legislature.

Short title.

1. These rules may be called the Indian Legislative Rules.

Definitions.

2. In these rules, unless the context otherwise requires—

'Assembly' means the Legislative Assembly;

'Chamber' means a Chamber of the Indian Legislature;

'Council' means the Council of State;

'Finance Member' means the member of the Assembly appointed by the Governor General to perform the functions assigned to the Finance Member under these rules;

'Gazette' means the *Gazette of India;*

'member' means a member of either Chamber;

'member of the Government' means a member of the Governor General's Executive Council, and includes any member to whom such member may delegate any function assigned to him under these rules;

'resolution' means a motion for the purpose of discussing a matter of general public interest;

'standing order' means a standing order of either Chamber;

'Secretary' means the Secretary to either Chamber, and includes any person for the time being performing the duties of the Secretary.

Temporary Chairman of Legislative Assembly.

3. At the commencement of every Session, the Governor General shall nominate from amongst the members of the Assembly a panel of not more than four Chairman, any one of whom may preside over the Assembly in the absence of the President and Deputy President, when so requested by the President or, in his absence, by the Deputy President.

Power of persons presiding.

4. The Deputy President and any Chairman of the Assembly and any person appointed by the Governor General to preside over the Council in the absence of the President shall, when presiding over the Assembly or the Council, as the case may be, have the same powers as the President when so presiding, and all references to the President in these rules shall, in these circumstances, be deemed to be references to any such person so presiding.

Appointment of the Secretary.

5. The Secretary and such assistants of the Secretary as the Governor General considers to be necessary shall be appointed by order in writing by the Governor General and shall hold office during his pleasure.

Allotment of time for non-official business and precedence of busines.

6. The Governor General, after considering the state of business of the Chamber, shall, at the commencement of each Session of that Chamber, allot as many days as are in his opinion compatible with the public interests for the business of non-official members in that Chamber, and may, from time time during the Session, alter such allotment, and on these days such business shall have precedence. At all other times Government business shall have precedence.

Power to disallow questions.

7. The Governor General may within the period of notice disallow any question or any part of a question on the ground that it relates to a matter which is not primarily the concern of the Governor General in Council, and if he does so, the question or part of the question shall not be placed on the list of questions.

Subject-matter of questions.

8. (1) A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognisance of the member to whom it is addressed:

Provided that, no question shall be asked, in regard to any of the following subjects, namely:—

(*i*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, with any foreign State;

(*ii*) any matter affecting the relations of any of the foregoing authorities with any Prince or Chief under the suzerainty of His Majesty, or relating to the affairs of any such Prince or Chief, or to the administration of the territory of any such Prince or Chief; and

(*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor General on the point whether any question is or is not within the restrictions imposed by sub-rule (1) shall be final.

Questions regarding controversy between authorities.

9. In matters which are or have been the subject of controversy between the Governor General in Council and the Secretary of State or a Local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

Supplementary questions.

10. Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the President shall disallow any supplementary question if, in his opinion, it infringes the rules as to the subject-matter of questions, and in that case the question shall not appear on the record of the proceedings of the Chamber.

Motions for adjournments.

11. A motion for an adjournment of the business of either Chamber for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Governor General which shall not be refused, except for reasons which would justify the disallowance of a resolution.

Restrictions on power to make motion.

12. The right to move the adjournment of either Chamber for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—

(*i*) not more than one such motion shall be made at the same sitting;

(*ii*) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;

(*iii*) the motion must not revive discussion on a matter which has been discussed in the same Session;

(*iv*) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given; and

(*v*) the motion must not deal with a matter on which a resolution could not be moved.

Quorum.

13. In the case of the Council the presence of at least fifteen members and in the case of the Assembly the presence of at least twenty-five members, shall be necessary to constitute a meeting of the Council or of the Assembly for the exercise of its powers.

Language of the Indian Legislature.

14. The business of the Indian legislature shall be transacted in English, provided that the President may permit any member unacquainted with English to address the Council in a vernacular.

Decision on points of order.

15. (1) The President shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point.

Irrelevance or repetition.

16. The President, after having called the attention for the Chamber to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Power to order withdrawal of member.

17. (1) The President shall preserve order and have all powers necessary for the purpose of enforcing his decisions on all points of order.

(2) He may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Chamber, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same Session, the President may direct the member to absent himself from the meetings of the Chamber for any period not longer than the remainder of the Session, and the member so directed shall absent himself accordingly.

(3) The President may, in the case of grave disorder arising in the Chamber, suspend any sitting for a time to be named by him.

Publication of Bills.

18. The Governor General may order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced it shall not be necessary to publish it again.

Notice of motion for leave to introduce Bills.

19. (1) Any member, other than a member of the Government, desiring to move for leave to introduce a Bill shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and a full Statement of Objects and Reasons.

(2) If the Bill is a Bill which under the Government of India Act requires sanction, the member shall annex to the notice a copy of such sanction, and the notice shall not be valid until this requirement is complied with.

(3) If any question arises whether a Bill is or is not a Bill which requires sanction under the Government of India Act, the question shall be referred to the Governor General, and his decision on the question shall be final.

(4) The period of notice of a motion for leave to introduce a Bill under this rule shall be one month or, if the Governor General so directs, a further period not exceeding in all two months.

Publication.

20. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

Effect of certification by Governor.

21. If the Governor General certifies that a Bill or any clause of a Bill or any amendment to a Bill affects the safety or tranquillity of British India or any part thereof, and directs that no proceedings or no further proceedings shall be taken thereon, all notices of motions in connection with the subject-matter of the certificate shall lapse, and if any such motion has not already been set down in the list of business, it shall not be so set down. If any such motion has been set down on the list of business, the President shall, when the motion is reached, inform the Chamber of the Governor General's action, and the Chamber shall forthwith without debate proceed to the next item of business.

Power to disallow resolutions.

22. The Governor General may within the period of notice disallow any resolution or any part of a resolution, on the ground that it cannot be moved without detriment to the public interest, or on the ground that it relates to a matter which is not primarily the concern of the Governor General in Council, and, if he does so, the resolution or part of the resolution shall not be placed on the list of business.

Restrictions on subjects for discussion.

23. (1) Every resolution shall be in the form of a specific recommendation addressed to the Governor General in Council, and no resolution shall be moved in regard to any of the following subjects namely :—

(*i*) Any matter affecting the relations of His Majesty's Government, or of the Governor General or the Governor General in Council, with any foreign State;

(*ii*) any matter affecting the relations of any of the foregoing authorities with any Prince or Chief under the suzerainty of His Majesty, or relating to the affairs of any such Prince or Chief or to the administration of the territory of any such Prince or Chief; and

(*iii*) any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

(2) The decision of the Governor General on the point whether any resolution is or is not within the restrictions imposed by sub-rule (1) shall be final.

Copy to Government.

24. A copy of every resolution which has been passed by either Chamber shall be forwarded to the Governor General in Council, but any such resolution shall have effect only as a recommendation to the Governor General in Council.

Bills which have passed originating Chamber.

25. Every Bill which has been passed by the originating Chamber shall be sent to the other Chamber, and copies of the Bill shall be laid on the table at the next following meeting of that Chamber.

Notice.

26. At any time after copies have been laid on the table, any member acting on behalf of Government in the case of a Government Bill or, in any other case, any member may give notice of his intention to move that the Bill be taken into consideration.

Motion for consideration.

27. On the day on which the motion is set down in the list of business, which shall, unless the President otherwise directs, be not less than three days from the receipt of the notice, the member giving notice may move that the Bill be taken into consideration.

Discussion.

28. On the day on which such motion is made or on any subsequent day to which the discussion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

Reference to Select Committee.

29. Any member may (if the Bill has not already been referred to a Select Committee of the originating Chamber or to a Joint Committee of both Chambers, but not otherwise) move as an amendment that the Bill be referred to a Select Committee, and if such motion is carried, the Bill shall be referred to a Select Committee, and the standing orders regarding Select Committees on Bills originating in the Chamber shall then apply.

Consideration and passing.

30. If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration, and the provisions of the standing orders of the Chamber regarding consideration of amendments to Bills and the subsequent procedure in regard to the passing of Bills shall apply.

Bills passed in either Chamber without amendment.

31. If the Bill is passed without amendment and the originating Chamber is the Legislative Assembly, a message shall be sent to the Legislative Assembly intimating that the Council of State have agreed to the Bill without any amendments. If the originating Chamber is the Council of State, the Bill with a message to the effect that the Legislative Assembly have agreed to the Bill without any amendments shall be sent to the Council of State.

Bills passed in either Chamber with amendment.

32. If the Bill is passed with amendments, the Bill shall be returned with a message asking the concurrence of the originating Chamber to the amendments.

Return of amended Bills to originating Chamber.

33. When a Bill which has been amended in the other Chamber is returned to the originating Chamber, copies of the Bill shall be laid on the table at the next following meeting of that Chamber.

Appointment of time for consideration of amendments.

34. After an amended Bill has been laid on the table, any member acting on behalf of Government in the case of a Government Bill or, in any other case, any member after giving three days' notice or with the consent of the President without notice, may move that the amendments be taken into consideration.

Procedure on consideration of amendments.

35. (1) If on a motion that the amendments be taken into consideration is carried, the President shall put the amendments to the Chamber in such manner as he thinks most convenient for their consideration.

(2) Further amendments relevant to the subject-matter of the amendments made by the other Chamber may be moved, but no further amendment shall be moved to the Bill, unless it is consequential upon, or an alternative to, an amendment made by the other Chamber.

Procedure consequent on consideration of amendments.

36. (1) If the Chamber agrees to the amendments made by the other Chamber, a message intimating its agreement shall be sent to that Chamber.

(2) If the Chamber disagrees with the amendments made by the other Chamber or any of them, the Bill with a message intimating its disagreement shall be sent to that Chamber.

(3) If the Chamber agrees to the amendments or any of them with further amendments, or proposes further amendments in place of amendments made by the other Chamber, the Bill as further amended with a message to that effect shall be sent to the other Chamber.

(4) The other Chamber may either agree to the Bill as originally passed in the originating Chamber or as further amended by that Chamber, as the case may be, or may return the Bill with a message that it insists on an amendment or amendments to which the originating Chamber has disagreed.

(5) If a Bill is returned with a message intimating that the other Chamber insists on amendments to which the originating Chamber is unable to agree, that Chamber may either—

(*i*) report the fact of the disagreement to the Governor General, or

(*ii*) allow the Bill to lapse.

Convening of joint sitting.

37. A joint sitting of both Chambers shall be convened by the Governor General by notification in the Gazette.

President and procedure.

38. The President of the Council shall preside at a joint sitting and the procedure of the Council shall, so far as practicable, apply.

Effect of joint sitting.

39. The members present at a joint sitting may deliberate and shall vote together upon the Bill as last proposed by the originating Chamber and upon amendments, if any, which have been made therein by one Chamber and not agreed to by the other, and any such amendments which are affirmed by a majority of the total members of the Council and the Assembly present at such sitting shall be taken to have been carried; and if the Bill with the amendments, if any, is affirmed by a majority of the members of the Council and the Assembly present at such sitting, it shall be deemed to have been duly passed by both Chambers.

Conferences.

40. (1) If both Chambers agree to a meeting of members for the purpose of discussing a difference of opinion which has arisen between the two Chambers, a conference shall be held.

(2) At a conference each Chamber shall be represented by an equal number of members.

(3) The conference shall determine its own procedure.

(4) The time and place of the conference shall be fixed by the President of the Council.

Messages.

41. Messages between one Chamber and the other Chamber shall be conveyed by the Secretary of the one Chamber to the Secretary of the other, or in such other manner as the Chambers may agree.

Joint committees.

42. (1) If a resolution is passed in the originating Chamber recommending that a Bill should be committed to a joint committee of both Chambers, a message shall be sent to the other Chamber to inform it of the resolution and to desire its concurrence in the resolution.

(2) If the other Chamber agrees, a motion shall be made in each Chamber nominating the members of that Chamber who are to serve on the committee. On a joint committee equal numbers of members of each Chamber must be nominated.

(3) The Chairman of the committee shall be elected by the committee. He shall have only a single vote, and, if the votes are equal, the question shall be decided in the negative.

(4) The time and place of the meeting of the committee shall be fixed by the President of the Council.

The Budget.

43. A statement of the estimated annual expenditure and revenue of the Governor General in Council (hereinafter referred to as 'the Budget') shall be presented to each Chamber on such day or days as the Governor General may appoint.

Demands for grants.

44. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government, provided that the Finance Member may in his discretion include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure which cannot readily be classified under particular Departments.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules the Budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Assembly.

Stages of the Budget debate.

45. The Budget shall be dealt with by the Assembly in two stages, namely:—

(*i*) a general discussion; and

(*ii*) the voting of demands for grants.

General discussion.

46. (1) On a day to be appointed by the Governor General subsequent to the day on which the Budget is presented and for such time as the Governor General may allot for this purpose, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the Assembly.

(2) The Finance Member shall have a general right of reply at the end of the discussion.

(3) The President may, if he thinks fit, prescribe a time-limit for speeches.

Voting of grants.

47. (1) Not more than fifteen days shall be allotted by the Governor General for the discussion of the demands of the Governor General in Council for grants.

(2) Of the days so allotted, not more than two days shall be allotted by the Governor General to the discussion of any one demand. As soon as the maximum limit of time for discussion is reached, the President shall forthwith put every question necessary to dispose of the demand under discussion.

(3) On the last day of the allotted days at five o'clock, the President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

Motions at this stage.

48. (1) No motion for appropriation can be made except on the recommendation of the Governor General communicated to the Assembly.

(2) Motions may be moved at this stage to omit or reduce any grant, but not to increase or alter the destination of a grant.

(3) When several motions relating to the same demand are offered, they shall be discussed in the order in which the heads to which they relate appear in the Budget.

Excess grants.

49. When money has been spent on any service for which the vote of the Assembly is necessary during any financial year in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Assembly by the Finance Member and shall be dealt with in the same way by the Assembly as if it were a demand for a grant.

Supplementary o additional grants.

50. (1) An estimate shall be presented to the Assembly for a supplementary or additional grant when—

(*i*) the amount voted in the Budget of a grant is found to be insufficient for the purposes of the current year, or

(*ii*) a need arises during the current year for expenditure for which the vote of the Assembly is necessary upon some new service not contemplated in the Budget for that year.

(2) Supplementary or additional estimates shall be dealt with in the same way by the Assembly as if they were demands for grants.

Constitution of Committee on Public Accounts.

51. (1) As soon as may be after the commencement of each financial year, a Committee on Public Accounts shall be constituted for the purpose of dealing with the audit and appropriation accounts of the Governor General in Council and such other matters as the Finance Department may refer to the Committee.

(2) The Committee on Public Accounts shall consist of not more than twelve members including the Chairman, of whom not less than two-thirds shall be elected by the non-official members of the Assembly according to the principle of proportionate representation by means of the single transferable vote. The remaining members shall be nominated by the Governor General.

(3) The Finance Member shall be Chairman of the Committee, and, in the case of an equality of votes on any matter, shall have a second or casting vote.

Control of Committee on Public Accounts.

52. (1) In scrutinising the audit and appropriation accounts of the Governor General in Council, it shall be the duty of the Committee to satisfy itself that the money voted by the Assembly has been spent within the scope of the demand granted by the Assembly.

(2) It shall be the duty of the Committee to bring to the notice of the Assembly—

(*i*) every re-appropriation from one grant to another grant;

(*ii*) every re-appropriation within a grant which is not made in accordance with the rules regulating the functions of the Finance Department, or which has the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Assembly; and

(*iii*) all expenditure which the Finance Department has requested should be brought to the notice of the Assembly.

(Signed) S. P. O'DONNELL,
Secretary to the Government of India."

By order of His Excellency the Honourable the Governor in Council,

C. N. SEDDON,
Secretary to Government (Reforms).

REVENUE DEPARTMENT.

Bombay Castle, 19th May 1920.

Godhra, district Panch Maháls.

No. 1512.—Whereas it appears to the Governor in Council that land in the village of Godhra, táluka Godhra, district Panch Maháls, is required to be taken by Government at the public expense for a public purpose, viz., for constructing quarters for Government officers; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village:—

Survey No.	Approximate area of the land required.		Survey No.	Approximate area of the land required.	
	A.	g.		A.	g.
318/1	1	27	315/2	0	24
318/3	2	34	320/1	3	24
318/5	3	13			

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen in the office of the Collector, Panch Maháls.

Bombay Castle, 20th May 1920.

Dákor district Kaira.

No. 1528.—Whereas it appears to the Governor in Council that land in the village of Dákor, táluka Thásra, district Kaira, is required to be taken by Government at the public expense for a public purpose, viz., for the construction of the Public Works Department Sub-Divisional office at Dákor; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village:—

Survey No.	Approximate area of land to be acquired.
	Gunthas.
64	14
65	24

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the abovementioned land can be seen at the office of the Mámlatdár of Thásra.

Khandála, district Ahmednagar.

No. 1529.—Whereas it appears to the Governor in Council that land in the village of Khandála, táluka Nagar, district Ahmednagar, is required to be taken by Government at the public expense for a public purpose, viz., for quarrying metal for use of Nagar-Dhond Road; it is hereby notified that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village:—

Survey No. 7; approximate area of land required, 2 acres 14 gunthas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

The plan of the land can be seen in the Mámlatdár's office at Nagar.

Trimbak, district Násik.

No. 1530.—Whereas it appears to the Governor in Council that land in the village of Trimbak, táluka and district Násik, is required to be taken by Government at the expense of the Trimbak Municipality for a public purpose, viz., for widening the Násik-Trimbak Road from the Toll Naka to the Causeway on the Godávari river; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village:—

Survey No.	Approximate area of the land required.		Survey No.	Approximate area of the land required.	
	G.	a.		G.	a.
440	5	0	216	6	12
211	4	4	297	6	12
441	3	4	296	13	0
212	3	12			

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, Násik449Pránt.

Khandála, district Sátára.

No. 1531.—Whereas it appears to the Governor in Council that land in the village of Khandála, mahál Khandála, táluka Wái, district Sátára, is required to be taken by Government at the public expense for a public purpose, viz., for a well and a foot-path for Police lines; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 19 part; approximate area of the land to be acquired, 7 gunthas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, in charge Wái Táluka.

Bapsai, district Thána.

No. 1532.—Whereas it appears to the Governor in Council that land in the village of Bapsai, táluka Kalyán, district Thána, is required to be taken by Government at the public expense for a public purpose, viz., for the construction of a Police Line; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No.	Hissa No.	Approximate area of the land required.	
		G.	a.
189	3	13	8
193	16	12	12

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, Kalyán Pránt, district Thána.

Bombay Castle, 22nd May 1920.

Trimbak, district Násik.

No. 1547.—Whereas it appears to the Governor in Council that land in the village of Trimbak, táluka and district Násik, is required to be taken by Government at the expense of the Trimbak Municipality for a public purpose, viz., for the daily bazar; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Gaonthan; approximate area of the land required, 5,400 square feet.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, Násik Pránt.

Chinchohol (Boripada), Kharshet and Adgaon, district Násik.

No. 1548.—Whereas it appears to the Governor in Council that land in the villages of Chinchohol (Boripada), Kharshet and Adgaon, táluka Peint, district Násik, is required to be taken by Government at the public expense for a public purpose, viz., for the construction of Forest buildings; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid villages :—

Name of village.	Survey No.	Pôt No.	Approximate area of the land required.	
			A.	g.
Chinchohol (Boripada) ...	228	...	2	11
Kharshet ...	48	4	2	2
Adgaon ...	64	...	2	0

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the Assistant or Deputy Collector in charge of the Peint Táluka.

Zadgaon, district Ratnágiri.

No. 1553.—Whereas it appears to the Governor in Council that land in the village of Zadgaon, táluka and district Ratnágiri, is required to be taken by Government at the public expense for a public purpose, viz., for the construction of a new High School building at Ratnágiri; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 256 ; approximate area of land required, 13 gunthas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, S. D., Ratnágiri.

Bombay.

No. 1555.—Whereas it appears to the Governor in Council that land in the city of Bombay is likely to be taken by Government at the expense of the G. I. P. Railway Company for a public purpose, viz., for the extension of the Harbour Branch Railway between the Carnac and Elphinstone Road Overbridges; it is hereby declared that for this purpose the land, measuring more or less as specified below, is likely to be acquired in the aforesaid city :—

All that piece or parcel of land, together with the stuctures standing thereon, situated between the Carnac and Elphinstone Road Overbridges containing 11,340·98 square yards or thereabouts, belonging to the Bombay Port Trust bearing part of New Survey No. 3186 and bounded as follows :—

On the North partly by the Elphinstone and Masjid Road Overbridges and partly by the land taken up by G. I. P. Railway Company for Harbour Branch extension ; on the South partly by the Carnac Road Overbridge and partly by the land taken up by G. I. P. Railway Company for Harbour Branch extension ; on the East partly by the land belonging to the Bombay Port Trust and partly by the land taken up by the G. I. P. Railway Company, for Harbour Branch extension ; and on the West by the G. I. P. Railway.

This declaration is made under the provisions of section 4 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

Lonávla, district Poona.

No. 1557.—Whereas it appears to the Governor in Council that land in the village of Lonávla, táluka Mával, district Poona, is required to be taken by Government at the expense of the Lonávla Municipality for a public purpose, viz., for the construction of a road; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 12 ; Pôt Hissa No. 1 and 2 ; approximate area of the land required, 9½ gunthas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the Collector of Poona.

Bombay Castle, 25th May 1920.

Khárághoda, district Ahmedabad.

No. 1566.—Whereas it appears to the Governor in Council that land in the village of Khárághoda, táluka Viramgám, district Ahmedabad, is required to be taken by Government at the public expense for a public purpose, viz., for the new Agar Pipe Line; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 55/2, approximate area of the land required, 9 gunthas 11 annas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, Dholka Prant.

Talegaon Dabhade, district Poona.

No. 1567.—Whereas it appears to the Governor in Council that land in the village of Talegaon Dabhade, táluka Mával, district Poona, is required to be taken by Government at the expense of the Talegaon Dabhade Municipality for a public purpose, viz., for the construction of the Municipal office building; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Name of village.	Survey No.	Approximate area of the land required. Square feet.
Talegaon Dabhade ...	Gaothan.	
	(Plot 1)	3,335
	(Plot 2)	6,670
	(Plot 3)	1,529⅓
	(Plot 4)	790⅔

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

The plan of the abovementioned site can be seen at the office of the Collector of Poona.

Dariapur Kajeepur, district Ahmedabad.

No. 1568.—Whereas it appears to the Governor in Council that the land in the village of Dariapur Kajeepur, táluka North Daskroi, district Ahmedabad, is required to be taken by Government at the expense of the B. B. & C. I. Railway Company for a public purpose, viz., for constructing a bungalow for the Assistant Engineer, Ahmedabad ; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 175 ; approximate area of the land required, 1,022·208 square yards.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, in charge North Daskroi Táluka.

Broach, district Broach.

No. 1569.—Whereas it appears to the Governor in Council that land with superstructures thereon in the city of Broach, táluka Broach, district Broach, is likely to be taken by Government at the expense of the Broach City Municipality for a public purpose, viz., for improving Dhadia Sheri ; it is hereby declared that for this purpose the land, with superstructures thereon, measuring more or less as specified below, is required within the limits of the aforesaid city:—

Name of locality, Dhadia Sheri ; Tiko No. C-4 ; Survey No. 63/1 ; approximate area of the land to be acquired, 1 square yard 3 feet 2 inches.

Name of owner—Bai Harigauga widow of Duwarka Bapubhai.

This declaration is made under the provisions of section 4 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the abovementioned land can be seen at the office of the City Survey Officer, Broach.

Kelshi, district Ratnágiri.

No. 1570.—Whereas it appears to the Governor in Council that land in the village of Kelshi, táluka Dápoli, district Ratnágiri, is required to be taken by Government at the public expense for a public purpose, viz., for the construction of residential quarters for the menial establishment of the Customs House at Kelshi ; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 69 ; Pôt Hissa No. 1 ; approximate area of the land required, ¾ guntha.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with the persons employed on the land.

A plan of the land can be seen at the office of the Assistant or Deputy Collector in charge Northern Division, Ratnágiri.

Lohosingwe, district Násik.

No. 1571.—Whereas it appears to the Governor in Council that land in the villages of Lohosingwe, Labavit and Bhagur, táluka and district Násik, is required to be taken by Government at the expense of the G. I. P. Railway Company for a public purpose, viz., for the diversion of up-road in connection with the regrading between Bhusáwal and Igátpuri, between miles Nos. 106·25 and 110·95 ; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid villages :—

Village and Survey No.		Approximate area of the land to be acquired.		Village and Survey No.		Approximate area of the land to be acquired.	
		A.	g.			A.	g.
Lohosingwe—	152	0	9	Lahavit—*contd.*	96	1	6
	79	1	35		97	1	24¼
	78	4	17		109	4	7
	69	0	11		110	4	21
	70	0	26		138	0	2
	75	0	1		139	4	37
	68	2	10		148	2	25
	64	2	8		173	8	21
	61	0	14		174	7	20
	62	2	8		175	4	12
Lahavit—	2	1	19		176	3	10
	3	2	29		184	0	11
	4	1	24		260	3	35
	5	2	9	Bhagur—	159	0	11
	13	1	16		160	1	33
	14	3	38		161	3	22
	15	0	14		162	0	4
	38	1	13		163	6	39
	39	6	9		164	4	10
	90	3	5		165	0	22
	92	0	7		407	2	1
	93	5	18		408	1	38
	94	2	9		409	2	4
	95	3	7		410	1	17

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

The plans of the land can be seen at the office of the District Deputy Collector, Násik Piánt.

Pandharpur, district Sholápur.

No. 1572.—Whereas it appears to the Governor in Council that land, together with the superstructure thereon, in the town of Pandharpur, táluka Pandharpur, district Sholápur, is required to be taken by Government at the expense of the Pandharpur Municipality for a public purpose, viz., for the extension of the vegetable market; it is hereby declared that for this purpose the land, measuring more or less as specified below, together with the superstructure thereon, is required to be taken within the limits of the aforesaid town :—

House Nos. 2958 and 2959; approximate area of the land to be acquired, 2,533 square feet.

BOUNDARIES :—

North—Municipal road to the vegetable market; *East*—Municipal road; *South*—H. Nos. 2960, 2961 and 2962; *West*—Vegetable market.

This declaration is made under the provision of section 4 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with the persons employed on the land.

The plan of the land can be seen at the Collector's office, Sholápur.

Nachane, district Ratnágiri.

No. 1573.—Whereas it appears to the Governor in Council that land in the village of Nachane, táluka and district Ratnágiri, is required to be taken by Government at the expense of the District Local Board, Ratnágiri, for a public purpose, viz., for the burial ground of the Daldis at Karlen; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid village :—

Survey No. 242; approximate area of the land required, 1 acre 32 gunthas.

This declaration is made under the provisions of section 6 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the land can be seen at the office of the District Deputy Collector, S. D., Ratnágiri.

Tavra and Shukaltirth, district Broach.

No. 1575.—Whereas it appears to the Governor in Council that land in the villages of Tavra and Shukaltirth, táluka Broach, district Broach, is required to be taken by Government at the expense of the District Local Board, Broach, for a public purpose, viz., for a diversion of the Broach Shukaltirth road; it is hereby declared that for this purpose the land, measuring more or less as specified below, is required within the limits of the aforesaid villages:—

Name of village and Survey No.		Approximate area of the land required. A.	g.	a.	u.
Tavra—	23/4	0	0	14	10
	23/2	0	4	7	12
	23/3	0	7	8	0
	22	0	18	9	9
	21	0	11	15	4
	13	0	13	12	14
	12/1	0	5	5	5
	12/2	0	6	13	6
	12/3	0	10	12	2
	14/3	0	1	7	8
	9/1	0	17	2	11
	9/2	0	17	9	10
	7/1	0	16	4	0
	4/8	0	1	11	0
	4/5	0	8	9	0
	4/6	0	9	10	0
	4/7	0	11	13	0
	4/10	0	11	2	0
	739	0	28	0	0
	783	0	17	12	13
	782/1	0	5	15	13
	782/2	0	3	2	2
	783/3	0	4	10	10
	780	0	8	0	15
	778/1	0	9	4	10
	778/2	0	8	7	0
	777/1	0	6	12	14
	777/2	0	6	1	8
	777/3	0	7	11	10
	777/4	0	0	12	4
	766/1	0	10	3	12
	766/2	0	9	12	3
	766/3	0	13	15	2
	765/1	0	2	7	5
	765/2	0	2	14	6
	765/3	0	3	9	4
	765/4	0	4	10	8
	765/5	0	1	12	0
	765/6	0	3	6	10
	765/7	0	4	9	10
	756/1	0	12	9	4
	756/2	0	3	1	5
	756/3	0	4	13	4
	757/1	0	4	3	2
	757/2	0	4	9	3
	758	0	11	1	14
	491/1	0	3	9	6
	491/2	0	6	3	0
	491/3	0	1	12	0
	492/1	0	6	14	0
	493	0	15	13	12
	494/1	0	10	9	0
	494/2	0	10	4	2
	484/1	0	4	15	12
	484/2	0	8	8	2
	484/3	0	5	7	12
	483/1	0	2	14	2
	483/2	0	4	15	8
	481/1	0	5	7	15
	481/2	0	4	5	12
	481/3	0	4	12	2
	481/4	0	8	11	12
	476	0	9	15	0
	474	0	5	2	0
	473	0	4	13	14
	471	0	2	8	10
	463/1	0	4	7	8
	463/2	0	1	6	0
	462/3	0	1	2	9
	461	0	17	2	12
	460/1	0	0	3	15
	518/5	0	1	12	14
	519/1	0	2	2	8
	519/2	0	6	9	12
	520/2	0	9	9	10
		13	32	3	11
Shukaltirth—	484	0	1	3	7
	482	0	6	14	0
		0	8	1	7
	Total ...	14	0	5	2

Name of village.	Name of owner.	Area.
		Sq. ft.
Tavra ... Gabhans.	Ukra Kuber ...	1,848
	Sadi Jijibhai .	3,600
	Sita Mulji ...	3,000
	Dula Kesar ...	1,200
	Mirji Rudio ...	1,200
	Ranchhod Agna.	1,800
	Karson Trikam.	4,200
	Lalu Jiva ...	1,800
	Sita Baji ...	1,800
	Megji Harkha.	3,600
	Kala(Matadar)	1,800
	Parbatsing Nathu.	3,250
	Natha Khoda.	2,400
	Mela Kerson .	3,000
	Ishwar Narotam.	7,350
	Bhaga Girdhar	2,400
		44,248
		A. g. a. u. 1 0 10 0
	Total area ...	15 0 15 2

This declaration is made under the provisions of section 4 of Act I of 1894 to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on land.

A plan of the abovementioned land can be seen at the office of the District Deputy Collector in charge Jambusar Division.

By order of His Excellency the Honourable the Governor in Council,

H. F. KNIGHT,
Under Secretary to Government.

Bombay Castle, 25th May 1920.

No. *C-Misc.*—The following notification by the Government of India, Board of Industries and Munitions, is republished :—

"MINES REGULATIONS.

No. *Min.*-205, dated Simla, the 15th May 1920.

The following draft of an addition which it is proposed to make in exercise of the powers conferred by section 20 of the Indian Mines Act, 1901 (VIII of 1901), to the rules applicable to all mines in British India issued with the Government of India, Department of Commerce and Industry, Notification No. 11793-103 (G. and M.),* dated the 30th December 1908, as subsequently amended, is published, as required by the same section, for the information of persons concerned. Notice is hereby given that the draft will be taken into consideration by the Governor-General in Council on or after the 15th August 1920.

Any objection or suggestion, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft addition.

'Rule 11.—A copy of these rules shall be kept at every mine and shall be produced at any time on the request of an Inspector of Mines.'

(Signed) F. R. R. RUDMAN,
Secretary, Board of Industries and Munitions."

Bombay Castle, 19th May 1920.

Shiroli, district Belgaum.

No. *A.-Misc.*-1356.—In exercise of the powers conferred by section 19 of the Indian Forest Act, No. VII of 1878, as amended by Acts No. V of 1890, No. V of 1901, No. XV of 1911 and No. I of 1918, His Excellency the Governor in Council is pleased, with reference to Government Notification No. 5633, dated 2nd June 1919, published at page 1356 of Part I, of the *Bombay Government Gazette*, of the 5th idem, to declare the land in the Khánápur Táluka of the Belgaum District specified in the schedule hereto annexed to be Reserved Forest with effect from 27th July 1920 :—

Schedule referred to above.

Village.		Survey No.	Area.	
			A.	g.
Shiroli	...	143	5	4
"		198	4	28

Bombay Castle, 21st May 1920.

Dhamansai, district Kolába.

No. *A.-Misc.*-1355.—With reference to Government Notification No. 1963-*I.*, dated 23rd February 1907, published at pages 404 to 406 of the *Bombay Government Gazette*, Part I, dated the 28th idem, His Excellency the Governor in Council is pleased to direct that the land in the Roha Táluka of the Kolába District, specified in the schedule hereto annexed, shall cease to be Protected Forest from the date of this notification :—

Schedule referred to above.

Village Dhamansai; Revision Survey No. 109 (part); area, 2 acres 15 gunthas.

BOUNDARIES :—

North—Part of Survey No. 109; *East*—Survey Nos. 97 and 42; *South*—Part of Gaothan; *West*—Survey No. 5.

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* Republished at pages 56—60 of the *Bombay Government Gazette*, Part I, dated 14th January 1909.

Bombay Castle, 19th May 1920.

No. *C.-Misc.*—The following Notification by the Government of India, Commerce Department, is republished :—

" TRADE AFTER THE WAR—HIDES, SKINS AND LEATHER.

No. 2076, dated Simla, the 15th May 1920.

In pursuance of the Notification in this Department, No. 650,* dated the 3rd April 1920, the Governor General in Council is pleased to designate, as the persons by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to the Dominion of Canada, the Collectors of Customs in the Dominion.

(Signed) C. A. INNES,

Secretary to the Government of India."

Bombay Castle, 21st May 1920.

No. *C.-Misc.*—The following Notification by the Government of India, Commerce Department, is republished :—

" TRADING BY FOREIGNERS.

No. 2046, dated Simla, the 15th May 1920.

In exercise of the power conferred by sub-section (*4*) of section 4 of the Enemy Trading Act, 1916 (X of 1916), the Governor General in Council is pleased to determine the order passed under Notification No. 10537,† dated the 8th September 1917, in the Department of Commerce and Industry, prohibiting the firm of Messrs. H. Blascheck and Company from carrying on business in British India except subject to the conditions specified in it.

(Signed) C. A. INNES,

Secretary to the Government of India."

Bombay Castle, 19th May 1920.

No. *A.-Misc.*—The following Notification by the Government of India, Finance Department, is republished :—

" SEPARATE REVENUE—STAMPS.

No. 1399-*F.*, dated Simla, the 8th May 1920.

In exercise of the powers conferred by section 9, clause (*a*), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to direct that the following amendment shall be made in the notification of the Government of India in the Finance Department No. 3616-Exc.,‡ dated the 16th July 1909, as subsequently amended, namely :—

After entry No. 14 and under ' In the Central Provinces ' the following shall be *inserted* as entry No. 14-A., namely :— '

' 14-A. Bail-bond executed by a surety to produce a person on whom a bailable warrant of arrest has been issued under section 20 (*3*) of the Central Provinces Land Revenue Act, 1917.'

(Signed) J. E. C. JUKES,

Joint Secretary to the Government of India."

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* Republished at page 955 of the *Bombay Government Gazette*, Part I, of 15th April 1920.

† Republished at pages 2072 and 2073 of the *Bombay Government Gazette*, Part I, of 13th September 1917.

‡ Republished at pages 1384—1388 of Part I of the *Bombay Government Gazette*, dated 29th July 1909.

Bombay Castle, 20th May 1920.

No. *E.-Misc.*—The following Resolution by the Government of India, Finance Department, is republished :—

"PENSIONS AND GRATUITIES—FUNDS, SERVICE AND OTHER.

No. 723-*F.E.*, dated Simla, the 5th May 1920.

RESOLUTION.—By the Government of India, Finance Department.

With the approval of the Secretary of State for India, the following amendment is made in the Indian Civil Service Family Pension Regulations :—

Insert a (†) against Rules 14 and 15 and *connect* it with the following footnote on page 10 :—

'† The provisions of Rules 14 and 15 are not to be read as implying an option of omitting or postponing any report that a subscriber is required to make under these Regulations. Intentional neglect to report is a breach of discipline.'

ORDERED that the Resolution be published in the *Gazette of India.*

(Signed) J. E. C. JUKES,
Joint Secretary to the Government of India."

No. *E.-Misc.*—The following Notification by the Government of India, Department of Commerce, is republished.

"POST OFFICE.

No. 2087, dated Simla, the 15th May 1920.

In exercise of the powers conferred by section 18 (*1*) of the Indian Post Office Act, 1898 (VI of 1898), the Governor General in Council is pleased to direct that the following amendments shall be made in rule 164 of the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 2883-45,* dated the 26th April 1913, as subsequently amended, namely :—

(1) Below condition (*a*), the following shall be inserted as item (*i*) and the existing items (*i*), (*ii*), (*iii*) and (*iv*) shall be re-numbered as (*ii*), (*iii*) (*iv*) and (*v*), respectively :—

'(*i*) the Presidency Postmasters Calcutta, Bombay and Madras and the Postmasters, Rangoon and Lahore, in respect of articles posted within their jurisdiction.'

2. For condition (*f*) the following shall be substituted, namely :—

'(*f*) Upon receiving such application and statement, together with the prescribed fee as aforesaid the officer in charge of the post office shall, if he is not one of the officers mentioned in condition (*a*) (*i*) or subordinate to one of those officers, send the same to the chief postal authority in the postal circle in which he is serving. If he is one of the officers mentioned in condition (*a*) (*i*), he shall immediately take action on the application in accordance with condition (*i*). If he is subordinate to one of the officers mentioned in condition (*a*) (*i*) he shall immediately send the application, statement and fee to that officer.'

3. For condition (*g*), the following shall be substituted, namely :—

'(*g*) If the postal article, of which re-delivery is sought, is in his possession, the officer in charge of the post office shall, instead of forwarding it to the addressee, keep it in deposit, and, if he is not one of the officers mentioned in condition (*a*) (*i*) shall send the application to the authority mentioned in conditions (*a*) (*i*) and (*ii*) to whom he is suborbinate.'

(Signed) C. A. INNES,
Secretary to the Government of India."

By order of His Excellency the Honourable the Governor in Council,

P. J. MEAD,
Chief Secretary to Government.

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* Republished at pages 674 @ 699 of the *Bombay Government Gazette*, Part I, dated 8th May 1913.

REVENUE DEPARTMENT.

(CIVIL SUPPLIES BRANCH.)

Bombay Castle, 26th May 1920.

No. 2562-*D.C.S.*—The following lists of prices for Bombay City are published for general information :—

I.—GRAINS—WHOLESALE PRICES FOR RICE.

Description of Rice.	Rate per bag of 6 maunds (168 lbs.) for sale in Bombay City including 3 annas distribution charges of Messrs. Currimbhoy Ebrahim & Sons.	
	Old Crop.	New Crop.
Europe No. 1	Rs. 16-4-0	15-5-3
Rangoon Big Mill Special (Halwa)	,, 15-1-0	14-0-6
Small Mill or meedon	,, 15-7-9	14-3-6
Mill Sugandhi	,, 16-8-0	15-11-3
Mandla	,, 18-5-3	16-0-9
Hath Sugandhi		15-14-0
Broken Rice—		
A 1 Extra	Rs. 14-14-6	
A 1	,, 14-9-6	
A 2	,, 13-7-0	
A 3	,, 11-10-9	
C 1	,, 13-1-3	
C 2	,, 11-10-9	

WHOLESALE PRICES FOR GRAIN.

Description of Grain.	Rate per Candy of 8 Pharas by *measurement*.
Jowdri—	
Central India	Rs. 40 (by weight).
Sholápuri	,, 50 to 52 ,,
Bájri—	
1st grade	Rs. 52 (by weight).
2nd grade	,, 48 ,,
Wheat—	
Red Katha	Rs. 64 to 65 (by weight).
Khandwa	,, 104 ,,
Pissi (Sevni)	,, 65 to 66 ,,
,, (Sharbati)	,, 74 to 75 ,, ,, 68 to 70 (by measurement).
Choice white Karachi	,, 65 to 68 (by weight). ,, 60 to 62 (by measurement).
Gram—	
Yellow	Rs. 56 (by weight).
Red	,, 52 to 53
Urid	,, 60 to 61
Jav (Barley)	,, 43 to 44
Oat by weight	,, 24 to 25
Moong (Green)	,, 65 to 80

II.—FLOUR.

Wheat Flour.

	Per bag of seven maunds.	Per maund.
Chaki quality No. 1	Rs. 20-0-0	Rs. 2-14-0
Chaki quality No. 2	,, 18-0-0	,, 2-10-0
Atta (Green Mark)	,, 18-8-0	,, 2-12-0
Atta Special	,, 19-0-0	,, 2-14-0
Atta dry	,, 17-0-0	,, 2-8-0
Atta blue mark	,, 17-8-0	,, 2-8-0
Bran	,, 8-15-0 to 9-9-0 (140 lbs.)	,, 1-11-0 to 1-13-0

	Per maund.	Per seer of 2 lbs.
Atta (lower quality for the poor)	Rs. 2-4-0	Re. 0-2-9

Flour Mill Quotations.

	Per bag of seven maunds (196 lbs.).
Superfine	... Rs. 21-0-0 to 24-0-0
Household	... „ 20-8-0 to 23-0-0
Export	... „ 22-8-0 to 25-0-0
Atta	... „ 18-0-0 to 20-0-0
Shop No. 4	... „ 18-0-0 to 19-0-0

RICE FLOUR.

	Per maund.	Per seer of 2 lbs.
Special	... Rs. 2-10-0	Re. 0-3-0
No. 1	... „ 2-6-0	„ 0-2-9
Lower quality	... „ 2-4-0	„ 0-2-6

III.—PRICES FOR SUGAR, GOOR, GHEE AND OILS.

Wholesale.

Sugar—	Per cwt.
Java (white) ...	... Rs. 54
„ (brown) ...	... „ 51
Mauritius ...	... „ 53
	Per candy
Goor	... Rs. 75 to 125
	Per maund.
Ghee—	
Deshi	... Rs. 46-0-0 to 47-0-0
Porebunder ...	... „ 49-0-0 to 50-0-0
Sagar	... „ 34-0-0 to 35-0-0
Veráwal Mallia }	... „ 48-0-0
Oil—	
Cocoanut	... Rs. 10-8-0
Sweet	... „ 11-12-0 to 12-0-0

RETAIL PRICES FOR GHEE, OIL, SUGAR AND GOOR.

Sugar, ordinary, white... ...	... Annas 5½ to 6	per seer.
Goor	... Annas 2 to 3	„
Ghee	... Annas 13 to Re. 1-2-0	„
„ (imitation)	... Annas 5½ to 6½	„
Cocoanut oil	... Annas 4¼	„
Sweet oil	... Annas 5 to 5½	„

IV.—PRICES OF KEROSINE OIL.

Burma Oil Company, Limited.

Brand.	Selling rate from Agents' shops or Company's cart.	Retail prices for shop-keepers and for hawkers to the public.
	Rs. a. p.	Rs. a. p.
Chukker, 125°	... 7 15 0 per two tins.	8 3 0 per two tins.
Chukker, 125°	... 3 1 9 per four gallons bulk.	3 3 9 per four gallons bulk.
Firefly, 125°	... 9 15 6 per case of two tins.	10 3 6 per case of two tins.
Waterlily, 150°	... 10 5 6 do.	10 9 6 per case of two tins.
		4 15 3 per one tin.

Retail price per bottle :—White oil, annas 2¼
Red oil, annas 1¾

Standard Oil Company of New York.

	Rs. a. p.	Rs. a. p.
Elephant, 125°	... 6 3 6 per eight gallons in bulk.	6 7 6 per eight gallons in bulk.
Do. „	... 7 15 0 per two tins.	8 3 0 per two tins.
Monkey „	... 8 2 0 do.	8 6 0 do.
Do. „	... 9 8 0 per case.	9 12 0 per case.
Chester „	... 10 12 0 „	11 0 0 „
Snowflake, 150°	... 11 0 0 „	11 4 0 „

Asiatic Petroleum Company, Limited.

Brand.	Selling rate from Agents' shops or Company's carts. Rs. a. p.	Retail prices for shop-keepers and hawkers to the public. Rs. a. p.
Anchor, 125°, white ...	8 2 6 per two tins.	8 6 0 per two tins.
Rising Sun, 125°, white .	7 15 6 do.	8 3 0 do.
Do. ...	6 3 6 per 8 gallons bulk.	6 7 6 per 8 gallons bulk.
Swan, 125°, yellow ...	6 6 6 per 2 tins	6 10 0 per 2 tins.
Do. ...	4 10 6 per 8 gallons bulk.	4 14 6 per 8 gallons bulk.

Retail price per bottle :—White oil, annas 2¼
Yellow oil, annas 1¾

Indo-Burma Petroleum Company, Limited.

	Rs. a. p.	Rs. a. p.
Star and Crescent, 125° .	7 14 0 per two tins.	8 2 0 per two tins.
Do. ...	3 2 0 per 4 gallons bulk.	3 4 0 per 4 gallons bulk.
Saraswati, 125°, red ...	2 5 0 do.	2 7 0 do.

Retail price per bottle :—White oil, annas 2¼
Red oil, annas 1¾

V.—CHARCOAL, FIREWOOD, VEGETABLES AND GRASS.

	Wholesale merchant to Retail Dealer. Rs. a. p.	Retail dealer to consumer. Rs. a. p.
Charcoal—		
Medium—		
(per maund) ...	0 14 0	1 0 0
Dhobi—		
(per maund) ...	1 0 0	1 2 0

FIREWOOD.

Best quality, dry, and split wood.

	Wholesale merchant to Retail Dealer. Per khandi. Rs. a. p.	Retail dealer to consumer. Per load of 3½ maunds. Rs. a. p.
Babul, Ain and Khair ...	9 0 0	1 6 0
Mixed and Kita ...	8 0 0	1 2 0 to 1-5-0

Vegetables—	
Potatoes, per seer	As. 1 to 1½
Onions do.	„ ½ to ¾
Cauliflower, each	Not available
Cabbages, per seer	As. 1 to 1½
Carrots do.	„ ¾ to 1
Tomatoes do.	„ 2
French beans do.	„ 2 to 2½
Brinjal, per seer	„ 1½
Pumpkin, white, each	„ 4 to 12
Green peas	„ 4
Turnips, per dozen	„ 12 to Re. 1¼
Meat—	
Mutton	As. 8 to 10 per lb.
Beef	„ 3 to 6 „
Milk	As. 5 to 7 per seer.

Salt (Matunga) (white) ... Rs. 2-0-0 per Bengal maund at salt works, Rs. 2-2-0 in market, Re. 0-2-6 per pylee at shops and 3 as. per pylee by hawkers.
Do. (black) ... „ 2-4-0 per phara, Re. 0-2-6 per pylee.
Do. (Goregaon) (white) ... „ 3-0-0 „ „ 0-3-0 „

Grass—

Mahaluxmi Yard and Godown, Sewri and Byculla G. I. P. Goods Yard, at Rs. 22 per 1,000 lbs. and retail at Rs. 23 per 1,000 lbs. for the best quality of Dakor, Phool, Ber, and Mooshi grass, and varying rates according to quality below Rs. 22 for inferior qualities.

Bandra, Rs. 23 per 1,000 lbs. for the best quality of Phool, Ber, and Mooshi grass, and varying rates for inferior qualities.

Petty shops in Bombay Town at Rs. 24 per 1,000 lbs. for the best quality of Dakor, Phool, Ber and Mooshi grass, and varying rates according to below Rs. 24 for inferior qualities.

Note.—The above maximum prices of salt, kerosine oil (retail), charcoal, grass and firewood are fixed by the Director of Civil Supplies under the Defence of India Rules; prices of Burma rice are fixed under the import scheme arrangements; those of other articles are the prevailing market prices.

By order of His Excellency the Honourable the Governor in Council,

P. J. MEAD,
Chief Secretary to Government.

NOTICE TO MARINERS.

No. 65-M. OF 1920.

RED SEA—EASTERN SHORE.

Kamaran Passage—Further information with regard to buoys.

Former Notices. No. 39-M. of 1920 (Admiralty No. 348 of 1920).

Details ... A further report of the correct positions of the two buoys in the southern entrance to Kamaran Harbour and that of replacing the two buoys in the Quarantine Anchorage at the entrance of Kamaran Harbour is as detailed below:—

(1) Correct positions of the buoys laid—

(*a*) Position ... At a distance of about 4 cables 330 (N. 27° 20′ W. Mag.) from the telegraph hut on Ras-el-Bayadh.

Description... A black Can buoy surmounted by a staff and spherical cage, is moored in 4½ fathoms.

(*b*) Position ... At a distance of about 11¼ cables 112° (S. 65° 20′ E. Mag.) from the Telegraph hut on Ras-el-Yemman.

Description... A red conical buoy surmounted by a staff and drum is moored in 4½ fathoms.

(2) Buoys in the Quaratine Anchorage now laid—

(*a*) Position ... At a distance of about 9¾ cables 110° (S. 67° 20′ E. Mag.) from the Mosque with 3 domes.

Description... A red Can buoy, surmounted by a staff and disk, is moored in 3 fathoms on a shoal patch.

(*b*) Position ... At a distance of about 11½ cables, 81° (N. 83° 40′ E. Mag.) from the Mosque with 3 domes.

Description... A red Can buoy, surmounted by a staff and trangle, moored in a 3¾ fathoms on a shoal patch.

Variation ... 2° 40′ westerly.

Charts affected ... No. 543, Kamaran Passage.
„ 143, Jebel Teir to Perim Island.

Publication... Red Sea and Gulf of Aden Pilot, 1909, pages 362, 363, 364.

Authority ... The Port Officer, Aden, dated May 1920.

R. I. M. DOCKYARD:
Bombay, 12th May 1920.

B. H. JONES, Captain, R. I. M.,
Offg. Director of the Royal Indian Marine.

No. 66-M. OF 1920.

INDIA—WEST COAST.

BOMBAY HARBOUR APPROACH.

Bombay Floating Light——Replaced in Position.

Former Notices. No. 17-M. of 1920 (Admiralty No. 558 of 1920).

Position (approximate). Lat. 18° 50′ N.
Long. 72° 44½′ E.

Details ... On or about the 13th May 1920 the relief Light-Vessel will be removed and replaced by the Bombay Floating Light-vessel (Unattended).

Description ... Hull painted red, marked on her sides 'Bombay Floating Light" in white letters, fitted with tower and ball day mark.

Characteristics of Light, vessel—

Abridged description. Lt. Gp. Fl. (3) ev. 24 sec. 32 ft. vis. 12 m. (U).

Character ... An automatic white group flashing light every 24 seconds thus:—

Flash	Eclipse	Flash
1 sec.	2 sec.	1 sec.
Eclipse	Flash	Eclips
2 sec.	1 sec.	17 sec.

Visibility ... All round the horizon, 12 miles in clear weather.

Automatic Submarine Bell Is fitted, the Bell is submerged and will ring continously at regular intervals, should be heard under water at a distance of 10 miles.

Charts affected. No. 2621, Bombay Harbour.
„ 737, Arnala Island to Kundari Island.
„ 2736, Gulf of Kutch to Viziádrug.
„ 826, Karáchi to Vengurla.
„ 1012, Arabian Sea.

Publications ... Admiralty List of Lights, Part VI, 1920, No. 384.

Indian Light List 8th Issue, 1919, No. 89.

West Coast of India Pilot, 1919, page 215, Revised Supplement (3) 1918.

Authority ... The Port Officer, Bombay, dated 12th May 1920.

No. 67-M. OF 1920.

INDIA—WEST COAST.

BOMBAY HARBOUR.

Prongs Reef Light Buoy—Alteration in period of Light.

Former Notice . No. 40-M. of 1920.

Position ... Lat. 18° 52′ N.
Long. 72° 49′ 14″ E.

Alteration ... A large Black Can buoy exhibiting a flashing green light every 15 seconds, visible 9 miles, thus :—

Light	Eclipse
5 sec.	10 sec.

Remarks ... This buoy is not fitted with an automatic whistle.

Charts affected. No. 2621, Bombay Harbour.
No. 737, Arnala Island to Kundari Island.

Publications ... West Coast of India Pilot, 1909, page 217. Indian List of Lights, 38th issue, 1919, page 22.

Authority ... The Port Officer, Bombay, dated 12th May 1920.

No. 68-M. OF 1920.

INDIA WEST COAST.

BOMBAY HARBOUR.

Thull Shoal Light Buoy—Alteration in period of Light.

Former Notice . No. 41-M of 1920.

Position ... Lat. 18° 48′ 22″ N.
Long. 72° 48′ 51″ E.

Alteration ... A conical buoy painted red exhibiting a flashing red light every 8 seconds, visible 6 miles, thus :—

Light	Eclipse.
2 sec.	6 sec.

Charts affected. No. 2621, Bombay Harbour.
No. 737, Arnala Island to Kundari Island.

Publications ... West Coast of India Pilot, 1909, page 214.
Indian List of Lights, 38th issue, 1919, page 22.

Authority ... The Port Officer, Bombay, dated 12th May 1920.

No. 69-M. OF 1920.

AFRICA—EAST COAST.

Macuti Point Light—Not yet exhibited.

Position ... Lat. 19° 50′ S.
Long. 34° 54′ E.

Details ... With reference to Notice to Mariners No. 14-M. of 1920. Owing to the delay in repairs of the Light-house on Macuti Point—the light was not exhibited on the 15th April 1920.

Charts temporarily affected. No. 1003, Beira Harbour.
„ 648, Delagoa Bay to River Zambezi.

Publications ... East Coast of Africa Pilot, Part III, 1915, page 224.
Admiralty List of Lights, Part VI, 1920, No. 76.

Authority ... The Port Officer, Beira, dated 14th January 1920.

R. I. M. DOCKYARD :
Bombay, 18th May 1920.

EDWARD J. HEADLAM,
Captain, R. I. M.,
Offg. Director of the Royal Indian Marine.

CIVIL APPOINTMENTS.

Heads of Departments and all other Officers concerned are informed that Notifications in the GAZETTE are in future to be accepted as disposing of all references regarding leave, transfers, appointments, powers, and other personal questions affecting Gazetted Officers as to which orders are gazetted by the Governor in Council in this Part of the GAZETTE, and that any subsidiary orders as to relief of their subordinates and the like, which such Notifications necessitate, must be issued by them on receipt of the GAZETTE, as no other orders will be issued by Government.

POLITICAL DEPARTMENT.

Bombay Castle, 25th May 1920.

No. 4161.—In modification of Government Notification No. 7617, dated the 12th November 1919, the Governor in Council is pleased to appoint Mr. Harilal K. Mehta to do duty as Deputy Assistant Political Agent, Káthiáwár, and to continue to hold the temporary appointment created in Government Order, Political Department, No. 6257, dated the 17th September 1919.

By order of His Excellency the Honourable the Governor in Council,

A. MONTGOMERIE,
Acting Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 17th May 1920.

No. 4563.—The Governor in Council is pleased to make the following appointments with effect from the end of the Summer Vacation of the respective Courts:—

Mr. G. D. Yajnik, Acting Joint Subordinate Judge, Ahmedabad, to be Acting Subordinate Judge, Wágra.

Mr. B. N. Shah, Subordinate Judge, Wágra, to be Second Joint Subordinate Judge, Ahmedabad.

Mr. B. M. Butti, Subordinate Judge, Dohád and Kaira, to be Subordinate Judge, Ráhuri and Kopargaon.

Mr. N. D. Upponi, Subordinate Judge, Ráhuri and Kopargaon, to be Subordinate Judge, Sirsi.

Mr. V. R. Guttikar, Subordinate Judge Sirsi, to be Subordinate Judge, Haveri.

Mr. D. V. Yennemadi, Subordinate Judge, Haveri, to be Joint Subordinate Judge, Bágalkot.

Mr. J. D. Rana, Subordinate Judge, Junnar, to be Subordinate Judge, Dohad and Kaira.

Mr. V. N. Sathaye, Acting Additional Subordinate Judge, Khed, to be Acting Subordinate Judge, Junnar.

Mr. B. H. Desai, Subordinate Judge, Nadiád, to be Subordinate Judge, Jambusar.

Mr. C. M. Javeri, Subordinate Judge, Jambusar, to be Joint Subordinate Judge, Poona.

Mr. C. C. Shah, Acting Joint Subordinate Judge, Poona, to be Acting Joint Subordinate Judge, Nadiád.

Mr. N. N. Master, Subordinate Judge, Godhra, to be Subordinate Judge, Bassein.

Mr. I. D. Munim, Subordinate Judge, Bassein, to be Subordinate Judge, Godhra.

Mr. B. N. Sanjana, Subordinate Judge, Panvel, to be Subordinate Judge, Bhusával.

Mr. K. K. Sunavala, Subordinate Judge, Bhusával, to be Subordinate Judge, Tásgaon and Vita.

Mr. P. C. Divanji, Subordinate Judge, Tásgaon and Vita, to be Subordinate Judge, Amalner.

Mr. T. N. Atre, Subordinate Judge, Amalner, to be Subordinate Judge, Yáwal.

Mr. V. B. Halbhavi, Subordinate Judge, Yáwal, to be Subordinate Judge, Honávar.

Mr. R. R. Baindur, Subordinate Judge, Honávar, to be Subordinate Judge, Hubli.

Mr. V. G. Sane, Subordinate Judge, Hubli, to be Subordinate Judge, Gadag.

Mr. V. S. Nerurkar, Subordinate Judge, Alibág, to be Subordinate Judge, Panvel.

Mr. B. B. Kunte, Subordinate Judge, Párner, to be Subordinate Judge, Haveli and Vadagaon.

Mr. T. S. Taskar, Subordinate Judge, Haveli and Vadagaon, to be Subordinate Judge, Párner.

Mr. V. V. Gadkari, Joint Subordinate Judge, Násik, to be Subordinate Judge, Rájápur.

Mr. G. V. Jadhav, Subordinate Judge, Rájápur, to be Joint Subordinate Judge, Násik.

Mr. L. C. Sheth, Subordinate Judge, Sinnar, to be Subordinate Judge, Sátána.

Mr. M. H. Limaye, Subordinate Judge, Devrukh, to be Subordinate Judge, Sinnar.

Mr. G. H. Salvi, Acting Subordinate Judge, Sátána, to be Acting Subordinate Judge, Devrukh.

Mr. R. G. Karkhanis, Additional Subordinate Judge, Wái, to be Subordinate Judge, Devgad.

Mr. S. L. Kalianpurkar, Acting Subordinate Judge, Devgad, to be Acting Joint Subordinate Judge, Haveri.

Mr. A. K. Asundi, Subordinate Judge, Chikodi, to be Registrar of the District and Sessions Court, Belgaum.

Mr. B. S. Khembhavi, Subordinate Judge, Bail Hongal, to be Subordinate Judge, Chikodi.

Mr. S. T. Ranade, Acting Joint Subordinate Judge, Chikodi, to be Acting Subordinate Judge, Bail Hongal.

Mr. C. L. Malvi, Acting Joint Subordinate Judge, Ahmedabad, to be Acting Joint Subordinate Judge, Jalgaon.

2. The Governor in Council is further pleased to invest, under section 28 of the Bombay Civil Courts Act, 1869, as amended by section 6 of Bombay Act I of 1900, the undermentioned Subordinate Judges severally with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts up to the amounts specified against their names, within the local limits of the ordinary jurisdiction of the Courts specified against their names as now fixed or as hereafter altered by any notification for the time being in force under section 22-A of the former Act :—

	Rs.
Mr. B. N. Shah, Second Joint Subordinate Judge at Ahmedabad—Ahmedabad ...	150
Mr. N. D. Upponi, Subordinate Judge at Sirsi—Sirsi ...	50
Mr. V. R. Guttikar, Subordinate Judge at Háveri—Háveri ...	150
Mr. D. V. Yennemadi, Joint Subordinate Judge at Bágalkot—Bágalkot ...	100
Mr. J. D. Rana, Subordinate Judge at Dohad and Kaira—Dohad and Kaira ...	50
Mr. B. H. Desai, Subordinate Judge at Jambusar—Jambusar .	100
Mr. N. N. Master, Subordinate Judge at Bassein—Bassein ...	150
Mr. I. D. Munim, Subordinate Judge at Godhra—Godhra ...	150
Mr. B. N. Sanjana, Subordinate Judge at Bhusával—Bhusával .	200
Mr. P. C. Divanji, Subordinate Judge at Amalner—Amalner ...	50
Mr. T. N. Atre, Subordinate Judge at Yáwal—Yáwal ...	150
Mr. V. B. Halbhavi, Subordinate Judge at Honávar—Honávar ...	150
Mr. R. R. Baindur, Subordinate Judge at Hubli—Hubli ...	150
Mr. V. G. Sane, Subordinate Judge at Gadag—Gadag ...	200
Mr. V. S. Nerurkar, Subordinate Judge at Panvel—Panvel ...	150
Mr. V. V. Gadkari, Subordinate Judge at Rájápur—Rájápur ...	50
Mr. G. V. Jadhav, Subordinate Judge at Násik—Násik ...	50
Mr. M. H. Limaye, Subordinate Judge at Sinnar—Sinnar ...	150
Mr. B. S. Khembhavi, Subordinate Judge at Chikodi—Chikodi ...	50

Bombay Castle, 19th May 1920.

No. 4639. — The Governor in Council is pleased to make the following appointments :—

I.

With effect from 21st August 1918 vice Mr. H. R. Kothavala, seconded.

Mr. Shapurji Darasha to be First Grade Deputy Superintendent of Police.

II.

With effect from 1st January 1919.

Ráo Sáheb Vishnu Anant Velankar
Ráo Sáheb Malaya Ganpat
Ráo Bahádur Girdharsingh Maniram
Mr. W. E. Sutton
Mr. Gopaldas Daulatram
Mr. Manekshah Dhanjishah

to be Fourth Grade Deputy Superintendents of Police.

III.

With effect from 1st August 1919 vice Mr. R. Barker appointed as Assistant Superintendent of Police.

Mr. P. J. Athaide to be Third Grade Deputy Superintendent of Police.

Khán Sáheb Ratanji Rustomji Mirza to be Fourth Grade Deputy Superintendent of Police.

IV.

With effect from 8th September 1919 vice Mr. Kumar Lakshmanvala, resigned.

Mr. Shaikh Ismail Karim to be Fourth Grade Deputy Superintendent of Police.

V.

With effect from 15th October 1919 vice Mr. M. A. O'Gorman appointed as Assistant Superintendent of Police.

Ráo Sáheb Vishnu Anant Velankar to be Third Grade Deputy Superintendent of Police.

Mr. Shamrao J. Jagdale to be Fourth Grade Deputy Superintendent of Police.

Bombay Castle, 20th May 1920.

No. 4655. — The Governor in Council is pleased to appoint Mr. C. R. Jeffereis, the senior qualified Inspector in the Criminal Investigation Department, to act as Superintendent, Criminal Investigation Department, Bombay City, vice Khán Bahádur K. J. Petigara, proceeded on leave, with effect from the date on which he reverts from the special duty on the staff of His Royal Highness the Crown Prince of Roumania.

No. 4656. — Mr. F. W. O'Gorman, Criminal Tribes Settlement Officer, Bijápur, is granted, from the date of relief, privilege leave for six months.

2. The Governor in Council is pleased to appoint Mr. H. W. Starte, Divisional Forest Officer, Belgaum, to act as Criminal Tribes Settlement Officer, Bijápur, from the date on which he took over charge from Mr. O'Gorman till relieved by Mr. O. H. B. Starte, I. C. S.

Bombay Castle, 21st May 1920.

No. 4707. — The Governor in Council is pleased to make the following appointments vice Ráo Sáheb Narayan Vishvanath Trivedi, proceeding on leave :—

Mr. C. C. Pegge to be Deputy Superintendent of Police, on special duty, Kaira.

Mr. R. W. Pryde to do duty as Assistant Superintendent of Police, Ahmedabad, vice Mr. C. C. Pegge.

No. 4708. — With reference to Government Order, Financial Department, No. 228, dated 22nd March 1920, the Governor in Council is pleased to appoint Mr. Bapu Narayan Athavle, LL.B., to be Fifth Presidency Magistrate, Bombay.

Bombay Castle, 25th May 1920.

No. 4759. — Khán Sáheb Abdul Karim Nuruddinmiyan, temporary Fourth Grade Deputy Superintendent of Police, Kolába, was granted privilege leave for three months, with effect from the 26th November 1919, and allowed during his leave, to retain a lien on the temporary appointment of Deputy Superintendent created by Government Notification No. 9093, dated the 28th October 1919.

Bombay Castle, 26th May 1920.

No. 4807. — The Governor in Council is pleased to create a temporary appointment of Assistant Judge under the Provincial Civil Service Rules on Rs. 650 per month for the period intervening between Mr. G. K. Kale's reversion as Assistant Judge in the Ratnágiri District and his appointment to act as District Judge, Kánara, and to direct that Mr. D. A. Idgunji should hold it, and do duty as Assistant Judge at Belgaum.

No. 4815. — In continuation of Government Notifications No. 9773, dated the 18th November 1919, and No. 10568, dated the 10th December 1919, the Governor in Council is pleased to extend the temporary appointments of the Joint Second Class Subordinate Judges at Poona, Bijápur and Bágalkot for further periods of three months from the dates on which they respectively expire.

No. 4817. — Mr. N. K. Patel, temporary Deputy Superintendent of Police, is granted, with effect from the 1st April 1920, such privilege leave as was then admissible to him, in combination with leave on medical certificate for such period as will bring the total period of absence to twelve months.

By order of His Excellency the
Honourable the Governor in Council,

A. MONTGOMERIE,
Acting Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 21st May 1920.

No. *A.-Misc.*-1390.—*Erratum.*—In line 4 of Government Notification No. *D.-Misc.*-428, dated 6th April 1920, published at page 919 of the *Bombay Government Gazette*, Part I, of the 8th idem, *for* the words "1st June" *read* the words "28th May."

No. *B.*-269. — In exercise of the powers conferred by section 19 of the Bombay Land Revenue Code, 1879 (Bombay V of 1879), the Governor in Council is pleased to confer upon Mr. Bulchand Santdas Thadani, Mukhtiárkar, third grade, all the powers and duties of a Survey Settlement Officer in charge of a survey for the purposes of the fresh survey of the lands in the town of Sukkur to which Bombay Act IV of 1868 was applied.

Bombay Castle, 22nd May 1920.

No. *A.-Misc.*-1349. — His Excellency the Governor in Council is pleased to appoint Mr. V. S. Bhide, I. C. S., in addition to his own duties, to do duty as Superintendent of Mátherán, so far as the civil administrative duties of the office are concerned, vice Lieutenant-Colonel H. A. F. Knapton, I. M. S., proceeding on leave, pending further orders.

Bombay Castle, 25th May 1920.

No. *C.-Misc.* — The following notification by the Government of India, Commerce Department, is republished :—

"CUSTOMS ESTABLISHMENTS.

No. 1983, dated the 15th May 1920.

Mr. A. R. Bennett, M.B.E., an Assistant Collector in the Imperial Customs Service, has been granted study leave for a period not exceeding seven months in extension of the leave sanctioned in the Notification of the Government of India in this Department No. 2295*, dated the 26th April 1919.

(Signed) C. A. INNES,
Secretary to the Government of India."

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* Republished at page 1102 of the *Bombay Government Gazette*, Part I, dated 1st May 1919.

No. *E.-Misc.*—His Excellency the Governor in Council is pleased to make the following appointments vice Mr. Shamrao Dinanath Mankar proceeding on leave :—

Mr. Manchershah Kavasji Gazdar to act as Senior Assistant Secretary to Government, Revenue and Financial Departments.

Mr. Sadashiv Vinayak Apte to act as Junior Assistant Secretary to Government, Revenue and Financial Departments.

No. *E.-Misc.*-1298. — Mr. Shamrao Dinanath Mankar, Senior Assistant Secretary to Government, Revenue and Financial Departments, is granted privilege leave for two months and fourteen days with effect from the date of relief.

No. 1574. — Mr. P. C. Patil, Deputy Director of Agriculture, Central Division, has been allowed an extension by two weeks of the privilege leave granted to him in Government Notification No. 475 dated 13th February 1920.

By order of His Excellency the
Honourable the Governor in Council,

P. J. MEAD,
Chief Secretary to Government.

MARINE DEPARTMENT.

Bombay Castle, 20th May 1920.

No. 980.—Mr. J. B. S. Thubron, C.I.E., is appointed Chairman, Karáchi Port Trust, with effect from the 14th May 1920.

Bombay Castle, 25th May 1920.

No. 999.—With reference to section 6, sub-section (*3*), of the Bombay Port Trust Act, 1879, as amended by Act I of 1910, His Excellency the Governor in Council is pleased to publish the following return received from the Secretary, Chamber of Commerce, Bombay :—

Return showing the name of the gentleman elected by the Bombay Chamber of Commerce in accordance with the provisions of the Bombay Port Trust Act, to be a Member of the Board of Trustees of the Port of Bombay in place of Mr. T. W. Dowding, who has obtained leave of absence from the Board Meetings.

Date of election.	Name of gentleman elected.
19th May 1920 ...	A. Geddis, Esquire (of Messrs. James Finlay and Company, Limited).

By order of His Excellency the
Honourable the Governor in Council,

J. C. KER,
Acting Secretary to Government.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 25th May 1920.

No. 290. — The Reverend E. S. J. D'Alessio, Chaplain of Mahábleshwar and Sátára, is granted, with effect from the 25th May 1920, or the subsequent date on which he may avail himself of it, such privilege leave as is due to him on the date of relief in combination with furlough for such period as will bring the total period up to six months.

No. 292. — The services of the Reverend R. F. S. McKelvie, Chaplain of Hyderabad, Sind, are placed at the disposal of the Government of the Punjáb with effect from the 15th May 1920, or the date on which he may relinquish charge of his duties.

No. 293. — The Reverend D. S. Harper is appointed to act as Chaplain of Hyderabad, Sind, with effect from the date on which he may take over charge of his duties from the Reverend R. F. S. McKelvie.

No. 296. — The Reverend R. E. Lee, Senior Chaplain, St. Andrew's Church, Bombay, is granted with effect from the 1st September 1920, or the date on which he may avail himself of it, such privilege leave as may be due to him on the date of relief in combination with such furlough as will bring the total period of absence to two years.

By order of His Excellency the
Honourable the Governor in Council,

J. C. KER,
Acting Secretary to Government.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 20th May 1920.

No. 2166. — His Excellency the Governor in Council is pleased to appoint Mr. Rahimtoola Currimbhoy Ebrahim to be a member of the Advisory Board of the Sydenham College of Commerce and Economics, Bombay, as the representative of the Bombay Millowners' Association in place of Mr. N. G. Hunt, resigned.

Bombay Castle, 25th May 1920.

No. 2226. — With reference to Government Notification No. 4347, dated the 24th September 1919, Mr. A. C. Miller is granted an extension of special leave for thirty days from the 16th March 1920 to the 14th April 1920 (both days inclusive).

By order of His Excellency the
Honourable the Governor in Council,

J. C. KER,
Acting Secretary to Government.

GENERAL DEPARTMENT.

Bombay Castle, 22nd May 1920.

No. 5753. — Lieutenant-Colonel H. M. H. Melhuish, D.P.H., I. M. S., was on special duty under the Sanitary Commissioner for the Government of Bombay from the 24th to 26th April 1920, both days inclusive.

No. 5765. — His Excellency the Governor in Council is pleased to declare that the furlough granted to Lieutenant-Colonel V. B. Bennett, M.B.B.S. (Lond.), F.R.C.S., I. M. S., in Government Notification No. 2807, dated the 13th March 1920, should be considered as furlough on average salary.

By order of His Excellency the Honourable the Governor in Council,

J. C. KER,
Acting Secretary to Government.

PUBLIC WORKS DEPARTMENT.

Bombay Castle, 22nd May 1920.

No. *E*.-10925. — Mr. A. B. Timms, B.Sc. (Eng.) Glas., Executive Engineer, is granted under articles 260, 233 (*i*) and 308 (*b*) of the Civil Service Regulations and Government of India, Finance Department, letter No. 168-*C. S. R.*, dated 24th February 1919, and Resolution No. 1514-*C. S. R.*, dated 29th/30th December 1919, privilege leave for six months combined with four months' furlough on average salary and two months' ordinary furlough on half average salary, with effect from the 1st June 1920 or the subsequent date of relief.

2. On completion of his work in the Sukkur Barrage Project District Mr. J. L. Grant, A.C.G.I., is appointed to act as Executive Engineer, Bégári Canals District, vice Mr. Timms proceeding on leave or until further orders.

Bombay Castle, 25th May 1920.

No. *E*.-10974. — Mr. W. L. Stevenson, Electrical Inspector, is exempted from the operation of Article 242 (*a*) of the Civil Service Regulations under paragraph 113 of the Public Works Department Code and granted under Article 260 of the Civil Service Regulations, privilege leave for two months with effect from the 23rd March 1920.

By order of His Excellency the Honourable the Governor in Council,

H. O. B. SHOUBRIDGE,
Acting Secretary to Government.

Miscellaneous Notifications, Appointments, etc.

BY THE COMMISSIONERS.

NORTHERN DIVISION.

No. *Pol.*-421.—In partial modification of this office draft Notification No. *Pol.*-421, dated 15th January 1920, published at pages 223-224 of the *Bombay Government Gazette*, Part I, dated 22nd January 1920, the following revised draft of a table of fares is published for the information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after 15th July 1920.

Table of Fares.

	Between Ankleshwar Railway Station and Town or in the Town.			Between (1) Ankleshwar and Sajod, (2) Sajod and Hánsot.			Between Ankleshwar Railway Station and Hánsot.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
1. For a whole Tonga drawn by two ponies ...	0	8	0	2	0	0	4	0	0
2. For a whole Tonga drawn by one pony ...	0	6	0	1	8	0	3	0	0
3. For each passenger	0	2	0	0	8	0	1	0	0
4. Bullock carts drawn by two bullocks ...	0	5	0	1	4	0	2	8	0
5. Bullock carts per each passenger ...	0	1	0	0	4	0	0	8	0

Note.—The fare fixed for each individual passenger is applicable when the actual number of passengers is less than the maximum number allowed for the carriage. Fares by time-scale shall be Rs. 5 per diem for a carriage drawn by two ponies and Rs. 3-12-0 for a carriage drawn by one horse.

2. Any objection or suggestion which may be received in writing by the District Superintendent of Police, Broach, and the Commissioner, Northern Division, from any person with respect to the draft before the date fixed as aforesaid will be duly considered.

J. GHOSAL,
Acting Commissioner, N. D.

Ahmedabad, Sháhibágh, 22nd May 1920.

SOUTHERN DIVISION.

No. *Est. S. R.*-64.—With reference to this office Notification No. *Est. S. R.*-2, dated 22nd November 1919, published at page 2287 of the *Bombay Government Gazette*, Part I, dated 27th idem, Mr. B. S. Kulkarni was relieved by Mr. B. N. Mahajan, Head Kárkún, Chiplún (pay Rs. 60), who acted as Mámlatdár of Chiplún from the 31st January 1920 to the 31st March 1920 and Mr. K. R. Shitut, Head Kárkún (pay Rs. 60), is appointed to act as Mámlatdár of that Táluka from the 1st April 1920, until further orders.

No. *Est. S. R.*-67.—Mr. R. N. Deshpande, Mámlatdár of Navalgund, is granted privilege leave for one month from the date of relief and Mr. P. K. Baichwal, Head Kárkún (pay Rs. 60), is appointed to act as Mámlatdár.

Belgaum, 17th May 1920.

No. *Est. S. R.*-70.—With reference to Government Order, Financial Department, No. 249, dated 26th March 1920, sanctioning the gradation of Head Clerks to Commissioners and Collectors with Mámlatdárs and the addition of 7 posts (one each in the second and third grade, two in the fourth grade and three in the fifth grade) to the Mámlatdárs' cadre in the Southern Division, the following promotions and appointments are ordered with effect from 1st April 1920 :—

Promotions.

I. (*i*) Mr. V. B. Parolekar, Third Grade Mámlatdár, is promoted to the Second Grade.

(*ii*) Messrs. R. R. Divekar and S. L. Kale, Fourth Grade Mámlatdárs, are promoted to the Third Grade.

(*iii*) Messrs. B. S. Masarguppi, G. V. Joglekar, D. V. Nagarkatti and R. S. Morab, Fifth Grade Mámlatdárs, are promoted to the Fourth Grade.

(*iv*) Mr. A. C. Saldanha, Head Clerk to the Commissioner, S. D., and Messrs. Raghavendra Rao Mudkatti, K. M. Joshi, G. S. Prabhu and G. N. Perur, Head Clerks to the Collectors of Belgaum, Ratnágiri Kánara and Bijápur respectively, to be probationary Fifth Grade Mámlatdárs.

(*v*) Mr. N. B. Deshmukh in foreign service as Chief Officer, District Local Board, Kolába, to be Fifth Grade Mámlatdár, and seconded.

(*vi*) Mr. V. A. Telang, Head Clerk to the Collector of Kolába, to be probationary Fifth Grade Mámlatdár, vice Mr. Deshmukh.

(NOTE.—One Fifth Grade Mámlat post is kept vacant until further orders.)

Appointments.

II. The following acting appointments are ordered with effect from 1st April 1920, until further orders :—

(*i*) Mr. S. A. Nadkarni, Head Kárkún (pay Rs. 70), to act as Fifth Grade Mámlatdár and to do duty as Head Clerk to the Collector of Belgaum, during the deputation of Mr. Raghvendra Rao Mudkatti as Mámlatdár of Belgaum.

(*ii*) Mr. B. S. Kulkarni, Head Kárkún (pay Rs. 60), to act as Fifth Grade Mámlatdár, and to do duty as Head Clerk to the Collector of Ratnágiri, during the deputation of Mr. K. M. Joshi, as Extra Chitnis (Reforms), Ratnágiri.

(*iii*) Mr. K. S. Nanjangud, Prant Shirestedar (pay Rs. 60), to act as Fifth Grade Mámlatdár and to do duty as Head Clerk to the Collector of Bijápur, during the deputation of Mr. G. N. Perur as Mámlatdár of Bádámi.

(*iv*) Mr. S. R. Baitmangalkar, Second Clerk in the Commissioner, S. D's. Office, (pay Rs. 80), to act as Fifth Grade Mámlatdár and to do duty as Head Clerk to the Collector of Dhárwár.

Belgaum, 18th May 1920.

No. *P. O. L.* (*Misc.*) *S. R.*-35.—Under the provisions of Rule 17 of the Rules framed under section 60 of the Prisons Act, IX of 1894, the Commissioner, S. D., hereby appoints Mr. A. M. Moulvi, B.A., Persian lecturer to the Karnatak College, Dhárwár, a religious and moral instructor and *non-official* visitor of the Juvenile Jail at Dhárwár, for a period of five years with effect from the date of this notification.

Belgaum, 19th May 1920.

No. *Est. S. R.*-66.—Mr. S. A. Jambhekar, B.A., Head Kárkún, Haliyál (pay Rs. 60), acted as Mámlatdár of Haliyál from 12th March 1920 to 14th April 1920 (both days inclusive).

L. J. MOUNTFORD,
Commissioner, S. D.

Belgaum, 20th May 1920.

BY THE COMMISSIONER OF CUSTOMS, SALT AND EXCISE.

No. 97-33.—Mr. G. D. Vartak, Excise Inspector, on return from long leave on the 13th proximo, is posted to the Central Division.

No. 97-34.—Mr. S. A. Bhagwat, Excise Sub-Inspector, Pánvel, Kolába District, on Rs. 50 and 60 acting appointed to act on Rs. 100 in the leave arrangement of Mr. P. J. Parulekar (Commissioner's Notification No. 1267, dated 24th November 1919), continued to act in the Rs. 100 grade from the 17th January 1920, to the 11th March 1920 (both days inclusive), in the leave arrangement of Mr. E. C. Palmer (Commissioner's Notification No. 1950, dated 6th January 1920), vice Mr. S. W. Bhawe, who joined on 12th March 1920.

Camp *viá* Bombay, 22nd May 1920.

No. 97-29.—Six months' privilege leave is hereby granted to Mr. G. U. Farrow Excise Inspector, on Rs. 225, with effect from the 21st April 1920, the date of his return from military duty :—

The substantive *pro tem.* arrangement already ordered vice Mr. Farrow should be considered as acting subject to the following modifications :—

Name.	From Rs.	To Rs.
1. Mr. K. K. Tirmizi ...	75 and 100 substantive *pro tem.* (Farrow's arrangement).	75 and 100 substantive *pro tem.* (Thosar's arrangement).
2. Shaik Abdul Majid ...	75 and 100 substantive *pro tem.* (Thosar's arrangement).	75 and 100 acting (Farrow's arrangement).

R. E. ENTHOVEN,
Commissioner of Customs, Salt and Excise.

Camp *viá* Bombay, 25th May 1920.

BY THE DEPUTY COMMISSIONERS OF SALT AND EXCISE.

CENTRAL DIVISION.

No. 12-22.—The privilege leave for two months granted with effect from the 9th March 1920, in this office Notification No. 12-22, dated the 17th April 1920, to Mr. N. C. Cama, Excise Inspector, Bombay, on Rs. 200 is extended by eight days, the existing acting arrangement being continued.

Order.

No. 1-51.—The following Excise Sub-Inspectors, in the Central Division, who were on probation are confirmed in the Excise Department :—

1.	Mr. S. T. Rane	... Kolába District.
2.	„ M. W. Tinaikar	... Thána District.
3.	„ M. S. Chawan	... Thána District.
4.	Sayad Umer Sayad Ismail	... Bombay.
5.	Mr. L. K. Bilgi	... Sholápur District.

Order.

No. 1-125.—The following transfers of Excise Sub-Inspectors, in the Central Division, are ordered :—

Name.	From	To
1. Mr. K. D. Kanvinde ..	Mál Talásri, Thána District.	Jawhár, Thána District.
2. „ K. V. Mulbagalkar ...	Jawhár, Thána District.	Junnár, Poona District.
3. „ Mahomed Yakub Shaik Hasham.	Poona City and Cantonment and under orders of transfer to Junnár, Poona District.	Poona City and Cantonment.

S. D. SMITH,

Deputy Commissioner of Salt and Excise, C. D.

Camp *viá* Bombay, 19th May 1920.

BY THE SETTLEMENT COMMISSIONER AND DIRECTOR OF LAND RECORDS.

No. *E.*-25.—Mr. K. L. Parchure, Additional Survey Mámlatdár, C. D., is granted privilege leave from 7th to 28th May 1920 both days inclusive, Mr. W. R. Sane, Survey Mámlatdár, holding charge of Mr. Parchure's duties in addition to his own duties.

F. ANDERSON,

Settlement Commissioner and Director of Land Records.

Poona, 21st May 1920.

BY THE SANITARY COMMISSIONER FOR THE GOVERNMENT OF BOMBAY.

No. 108.—Trimbak Nato Bhalerao, Municipal Vaccinator, Málegaon City, was granted privilege leave from 1st to 16th March 1920, inclusive.

No. 109.—Rajaram Jairam Kulkarni, Third Grade Local Fund Vaccinator, táluka Mahád (Birwádi), district Kolába, was granted leave without pay from 1st to 31st March 1920, inclusive.

No. 110.—In Notification No. 216, dated 21st July 1919, *for* "30th June" *read* "18th April".

No. 111.—Candidate Narayan Vithal and Atmaram Khanderao, Candidate Vaccinator, district Thána, N. D., were appointed Acting First Grade Vaccinators, táluka Dahánu and Peta Umbergaon, from 1st July to 8th November 1919 and from 18th November 1919 to 18th April 1920 inclusive, respectively, vice Balaji Tukaram on leave.

No. 112.—Mahadeo Pandharinath Pangaonkar, Second Grade Local Fund Vaccinator, táluka Shrigonda, district Nagar, has been granted privilege leave from 9th January to 23rd April 1920.

No. 113.—Mr. Chintaman Raghunath, First Grade Inspector of Sanitation and Vaccination, district Poona, has been granted privilege leave from 10th May to 9th June 1920 and Govind Raghunath Gharge, Head Vaccinator, Poona City, is appointed to be in charge of his dafter duties in addition to his own.

No. 114.—Harilal Sevakram, Second Grade Local Fund Vaccinator, táluka Amod, district Broach, was granted privilege leave from 13th April to 12th May 1920 inclusive, and Somabhai Sevakram, Candidate Vaccinator of the same district, was appointed to act for him.

No. 115.—Pranshanker Hariprasad, Second Grade Local Fund Vaccinator, táluka Kalol, district Panch Maháls, was granted privilege leave from 26th February to 25th April 1920, inclusive and Nandlal Harjiwandas, Candidate Vaccinator of the same district, was appointed to act for him from 5th March to 5th April 1920, inclusive.

No. 116.—Naraindas Chandumal, Acting First Grade Vaccinator, táluka Karáchi, was reverted to his original appointment as Second Grade Vaccinator, táluka Ubauro, district Sukkur, with effect from 2nd February 1920.

No. 117.—Sahijsing Dherumal, Second Grade Local Fund Vaccinator, district Lárkána, is appointed Acting First Grade Vaccinator with effect from 2nd February 1920.

No. 118.—Dariadinomal Assanmal, Third Grade Local Fund Vaccinator, district Karáchi, is appointed Acting Second Grade Vaccinator with effect from 2nd February 1920.

No. 119.—Daimali Pirbux, Candidate Vaccinator, district Karáchi, is appointed Acting Third Grade Vaccinator with effect from 2nd February 1920.

No. 120.—Candidate Chandiram Kishinchand, is appointed Acting Candidate Vaccinator, district Karáchi, with effect from 26th January 1920.

No. 121.—The privilege leave granted to Naraindas Chandumal in Notification No. 313, dated 10th November 1919, was extended to 1st February 1920.

H. M. H. MELHUISH, D.P.H.,
Lieut.-Colonel, I. M. S.,
Acting Sanitary Commissioner for the Government of Bombay.

Poona, 22nd May 1920.

BY THE SURGEON-GENERAL WITH THE GOVERNMENT OF BOMBAY.

No. *A*.-1810.—The following Civil Assistant Surgeons are promoted to the Second Grade with effect from the dates mentioned against their names :—

Third Class Assistant Surgeon P. X. Godinho, L.M. & S. (now Captain, I. M. S. (T.C.)), 23rd September 1917.

Third Class Assistant Surgeon V. B. Gupte, L.M. & S. (now Captain, I. M. S. (T.C.)), 11th October 1917.

Third Class Assistant Surgeon M. G. Oka, L.M. & S. (now Captain, I. M. S. (T.C.)), 30th October 1918.

Third Class Assistant Surgeon A. D'Silva, L.M. & S. (now Captain, I. M. S. (T.C.)), 28th February 1919.

Third Class Assistant Surgeon V. R. Masurekar, L.M. & S. (now Captain, I. M. S. (T.C.)), 4th September 1919.

Third Class Assistant Surgeon K. M. Parikh, L.M. & S., 26th February 1920.

Poona, 20th May 1920.

No. *A*.-1829.—Assistant Surgeon A. J. Kapasi, L.M. & S., J. J. Hospital, Bombay, has been granted privilege leave for five months and seventeen days combined with leave without allowances for three months with effect from the forenoon of 1st May 1920.

No. *A*.-1834.—Assistant Surgeon N. B. Muzumdar, M.B., B.S., who was in charge Scott Hospital, Palánpur, has been granted privilege leave for one month and fifteen days with effect from the forenoon of 1st May 1920.

W. E. JENNINGS, M.D., Major-General, I. M. S.,
Surgeon-General with the Government of Bombay.

Poona, 21st May 1920.

BY DISTRICT JUDGES.

No. 1305 (1).—Mr. D. R. Deshpande, Clerk of the Court, Dhárwár First Class Court, under order of transfer as Názir to Gadág Sub-Court, is granted privilege leave for two months from 25th April 1920.

(2) Mr. R. B. Miraji, Kárkún, Sub-Court Hubli, is appointed to act as Názir, Sub-Court, Gadág, from 23rd May 1920.

Mr. R. B. Miraji is empowered to administer oaths to declarants for the purposes of affidavits.

No. 1306.—(1) Mr. D. R. Deshpande, Clerk of the Court, Sub-Court, Dhárwár, is transferred to the Sub-Court, Gadag, and to do duty as Názir.

(2) Mr. N. A. Avadhani, Názir, Sub-Court, Gadag, is transferred to the Sub-Court, Dhárwár, and to do duty as Clerk of the Court.

Messrs. Deshpande and Avadhani are empowered to administer oaths to declarants for the purposes of affidavits.

E. H. WATERFIELD,
District Judge, Dhárwár.

Dhárwár, 14th May 1920.

No. 745.—The following officers are empowered to administer oaths to declarants for the purposes of affidavits :—

1. Mr. M. T. Kanetkar, Clerk of the Court, Sub-Court, Sáswad.
2. „ P. B. Deval, Názir, Sub-Court, Junnar.
3. „ G. W. Bokil, Názir, Sub-Court, Khed.

G. D. FRENCH,
District Judge, Poona.

Poona, 21st May 1920.

BY DISTRICT MAGISTRATES.

No. *M. A. G.*-161.—In exercise of the powers delegated to him under section 13 of the Criminal Procedure Code, Act V of 1898, by Government in their Resolution No. 1404, dated 23rd February 1900, Judicial Department, the District Magistrate, Poona, appoints Mr. G. T. Garratt, I. C. S., Personal Assistant to the Collector of Poona, to be Sub-Divisional Magistrate of the Poona Táluka Sub-Division.

No. *M. A. G.*-162.—Mr. Laxman Bapuji Shinde, B.Ag., Head Kárkún, Máwal, who in virtue of Government Resolution, Judicial Department, No. 833, dated 20th April 1899, is a Magistrate of the Third Class, is hereby invested with the following additional powers specified in the fourth schedule of the Code of Criminal Procedure, Act V of 1898 (section 37, Criminal Procedure Code) :—

(1) Power to make orders prohibiting repetition of nuisance, section 143.
(2) Power to make orders under section 144.
(3) Power to hold inquests, section 174.
(4) Power to take cognizance of offences upon complaints and upon police reports [section 190 (1) (*a*) and (*b*)].

No. *M. A. G.*-163.—Mr. Vinayak Vishnu Medhi, B.Ag., Head Kárkún, Indápur, who in virtue of the Government Resolution, Judicial Department, No. 833, dated 20th April 1899, is an *ex-officio* Third Class Magistrate, is hereby invested with the following additional powers specified in the fourth schedule of the Code of Criminal Procedure, Act V of 1898 (section 37, Criminal Procedure Code) :—

(1) Power to make orders prohibiting repetition of nuisance (section 143).
(2) Power to make orders under section 144.
(3) Power to hold inquests, section 174.
(4) Power to take cognizance of offences upon complaints and upon police reports [section 190 (1) (*a*) and (*b*)].

W. F. HUDSON,
District Magistrate, Poona.

Poona, 17th May 1920.

No. *Mag. S. R.*-4-16.—In exercise of the powers delegated to him under section 13 of the Criminal Procedure Code, Act V of 1898, by Government in their Resolution No. 1404, dated 23rd February 1900, Judicial Department, the District Magistrate, Thána, appoints Mr. E. W. Perry, I. C. S., First Class Magistrate in the district of Thána, to be Sub-Divisional Magistrate of the sub-division comprising Sálsette Táluka, with effect from the date of his taking charge.

C. S. CAMPBELL,
District Magistrate, Thána.

Camp Juhu, 20th May 1920.

No. *Mag. XV.*-11.—In exercise of the powers delegated to him under section 13 of the Criminal Procedure Code, Act V of 1898, by Government in their Resolution No. 1404, dated 23rd February 1900, Judicial Department, the District Magistrate, Ahmedabad, appoints Mr. H. K. Kirpalani, I. C. S., First Class Magistrate in the district of Ahmedabad, to be Sub-Divisional Magistrate of the sub-division comprising Dhandhuka and Gogo Mahál in the district of Ahmedabad with effect from the date of his taking charge.

G. E. CHATFIELD,
District Magistrate, Ahmedabad.

Ahmedabad, 22nd May 1920.

No. *Med. S. R.*-1/2.—For the purposes of Government Resolution No. 3331, Financial Department, of 29th August 1906, as modified by Government Resolution No. 3507, Financial Department, of 29th October 1910, the village of Nardana in the Sindkheda Táluka of the West Khándesh District is hereby declared to be infected with and free from plague with effect from the dates noted against it :—

Name of village.	Date from which infected with plague.	Date from which free from plague.
Nardana ...	21st February 1920 ...	5th May 1920.

A. M. MACMILLAN,
Camp Sákri, 23rd May 1920. District Magistrate, West Khándesh.

BY THE REGISTRAR, CO-OPERATIVE SOCIETIES, BOMBAY PRESIDENCY.

No. *C.*/308.—The registration of the Tando Sumro Co-operative Credit Society, Unlimited, táluka Allahyar, district Hyderabad, notified under this office Notification No. 2322 of 26th March 1919, is hereby cancelled under section 39 (*1*) of Act II of 1912. No liquidator is required.

Poona, 17th May 1920.

No. *A.*/9.—Having received information that a dispute exists between the Managing Committee of the Salal Co-operative Credit Society on the one part and

Principals.	Sureties.
1 Motiji Hajurji	1 Vala Uma
	2 Sendha Hamir
	3 Dana Sada
	4 Rama Hathi

on the other part, the Registrar hereby appoints Mr. Desaibhai S. Patel, Honorary Organiser, Jamiatpur, to be sole arbitrator of the dispute under rule 29 of the Bombay Co-operative Societies (Supplementary) Rules, 1919, published under Notification No. 4358, dated 30th April 1919.

No. 2909.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the 27 Dad Agricultural Co-operative Credit Society, Unlimited, at Goth Abdulkari, táluka Nawábsháh, district Nawábsháh, has been registered.

No. 2910.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Tando Jan Mahomed Agricultural Co-operative Credit Society, Unlimited, at Tando Jan Mahomed, táluka Digri, district Thar and Párkar, has been registered.

No. 2911.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Pir-jo-goth Agricultural Co-operative Credit Society, Unlimited, at Pir-jo-goth, táluka Tatta, district Karáchi, has been registered.

No. 2912.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Sonda Agricultural Co-operative Credit Society, Unlimited, at Sonda, táluka Tatta, district Karáchi, has been registered.

No. 2913.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Phul Agricultural Co-operative Credit Society, Unlimited, at Phul, táluka Lárkána, district Lárkána, has been registered.

No. 2914.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Southern Jamrao Co-operative Seed Society, Unlimited, at Goth 304A, táluka Jamesabad, district Thar and Párkar, has been registered.

No. 2915.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Chinchpokli Co-operative Cheap Grain Store Society, Limited, at Haji Dawood Building, Chinchpokli, Bombay, has been registered.

No. 2916.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Jakkali Shri Shidheshwar Agricultural Co-operative Credit Society, Unlimited, at Jakkali, táluka Ron, district Dhárwár, has been registered.

No. 2917.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Virdel Agricultural Co-operative Credit Society, Unlimited, at Virdel, táluka Sindkheda, district West Khándesh, has been registered.

No. 2918.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Vansar Agricultural Co-operative Credit Society, Unlimited, at Vansar, táluka Mátar, district Kaira, has been registered.

No. 2919.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Marapur Agricultural Co-operative Credit Society, Unlimited, at Marapur, táluka Pandharpur, district Sholápur, has been registered.

No. 2920.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Pariaj Agricultural Co-operative Credit Society, Unlimited, at Pariaj, táluka Mátar, district Kaira, has been registered.

No. 2921.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Kakmari Shri Amajevva Laxmi Devi Agricultural Co-operative Credit Society, Unlimited, at Kakmari, táluka Athni, district Belgaum, has been registered.

No. 2922.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Shevge Darna Agricultural Co-operative Credit Society, Unlimited, at Shevge Darna, táluka Násik, district Násik, has been registered.

No. 2923.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Bevinkatti Agricultural Co-operative Credit Society, Unlimited, at Bevinkatti, táluka Ron, district Dhárwár, has been registered.

No. 2924.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Hubli Annapurneshwari Co-operative Stores Society, Limited, at Hubli, táluka Hubli, district Dhárwár, has been registered.

No. 2925.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Jalgaon Co-operative Stores Society, Limited, at Jalgaon, táluka Jalgaon, district East Khándesh, has been registered.

No. 2926.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Shindi Digar Agricultural Co-operative Credit Society, Unlimited, at Shindi Digar, petha Bhadgaon, district East Khándesh, has been registered.

No. 2927.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Nidgundi Majare Kop Agricultural Co-operative Credit Society, Unlimited, at Nidgundi Majare Kop, táluka Ron, district Dhárwár, has been registered.

No. 2928.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Newade Agricultural Co-operative Credit Society, Unlimited, at Newade, táluka Sindkheda, district West Khándesh, has been registered.

No. 2929.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Bijápur, and Bijápur Táluka Primary Teachers' Diwansheb Co-operative Credit Society, Limited, at Bijápur, táluka Bijápur, district Bijápur, has been registered.

No. 2930.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Bhandari Co-operative Store Society, Limited, at Parel Road, opposite G. I. P. Railway Workshop, Bombay, has been registered.

No. 2931.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Raharki Agricultural Co-operative Credit Society, Unlimited, at Raharki, táluka Ubauro, district Sukkur, has been registered.

No. 2932.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Wango Agricultural Co-operative Credit Society, Unlimited, at Wango, táluka Mirpur Mathelo, district Sukkur, has been registered.

No. 2933.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Bársi Guruvar Club Co-operative Stores Society, Limited, at Bársi, táluka Bársi, district Sholápur, has been registered.

Poona, 18th May 1920.

No. *C.*/309.—The registration of the Yewati Agricultural Co-operative Credit Society, Unlimited, táluka Mádha, district Sholápur, notified under this office No. 1034 of 7th September 1915, is hereby cancelled under section 39 (*1*) of Act II of 1912. No liquidator is required.

No. 2934.—Under section 9 of the Co-operative Societies' Act (II of 1912), the Registrar hereby notifies that the Taredhalli Agricultural Co-operative Credit Society Unlimited, at Taredhalli, táluka Karajgi, district Dhárwár, has been registered.

Poona, 19th May 1920.

No. 706.—In modification of this office Notification No. *C.*/303, dated 29th March 1920, Mr. Manilal A. Thakur, Chairman of the Thána District Central Co-operative Bank, Limited, is appointed to be liquidator of the "Thána Agricultural Co-operative Dairy Society" in liquidation under section 42 (*i*) of the Act II of 1912, vice Mr. R. M. Kaprekar, Assistant Honorary Organiser, Thána.

OTTO ROTHFELD,
Registrar, Co-operative Societies, Bombay.

Poona, 20th May 1920.

BY THE CHIEF CONSERVATOR OF FORESTS, BOMBAY PRESIDENCY.

No. *C.*-101.—The following promotions are ordered with effect from 1st April 1920:—

Mr. S. N. Nadkarni, Foreman, Kirwatti Sawmills, Eastern Division, Kánara, and Ranger on Rs. 60, to be Ranger on Rs. 80, vice Mr. R. Y. Prabhu, Ranger on Rs. 80 retired, but to continue to do duty as Foreman, Kirwatti Sawmills.

Mr. V. R. Dhareshwar, Ranger on Rs. 50, Central Division, Kánara, to be Ranger on Rs. 60, vice Mr. Nadkarni promoted.

W. E. COPLESTON,
Chief Conservator of Forests, Bombay Presidency.

Camp *viâ* Poona, 20th May 1920.

BY THE INSPECTOR-GENERAL OF POLICE.

No. *T.*-110.—Sergeant Charles Williams Condon, General No. 15, of the G. I. P. Railway, is appointed to act as Fourth Grade Inspector and posted for duty in the Ahmedabad District, vice Third (substantive *pro tem.* Second) Grade Inspector Alfred Thomas Joseph New, General No. 2, of the Ahmedabad District, deputed on duty at Civil camp for refugees at Ahmednagar.

No. 5623-*A.*—Mr. Maneksbaw Dhunjishaw, Deputy Superintendent of Police, East Khándesh, is granted, with effect from the 4th May 1920, privilege leave for six weeks.

Poona, 11th May 1920.

No. 5808-*A.*—Second Grade Sub-Inspector Kapilram Jivanram Mehta, General No. 297, of the Panch Mahéls District, is appointed to act as Fourth Grade Inspector, vice Third (substantive *pro tem.*) Grade Inspector Pranlal Keshaolal Lakhia, General No. 128, of the Panch Mahéls, on six weeks' privilege leave from 4th April 1920.

L. ROBERTSON,
Inspector-General of Police.

Poona, 15th May 1920.

BY THE DIRECTOR OF PUBLIC INSTRUCTION.

No. 2430.—It is hereby notified that in the case of private candidates, who are actually employed in service and are desirous of appearing at the London Chamber of Commerce Examinations, the minimum period of service (immediately preceding the date of the submission of applications) necessary to be eligible for appearing for the examinations to be held in 1921 and thereafter has been raised, under the orders of Government, from three to six months.

J. G. COVERNTON,
Director of Public Instruction.

Poona, 18th May 1920.

BY THE DIRECTOR OF AGRICULTURE.

No. 6525.—Supplementary statement showing average retail prices of staple food-grains prevailing at the táluka headquarters in the Bombay Presidency for the month of April 1920 (published at pages 1217—1219 of Part I of the *Bombay Government Gazette* dated 11th May 1920):—

No.	District and Táluka Headquarter.	Name of the staple food.
	Panch Mahéls.	*Bájri.* S. ch.
3	Dohad ...	6 8

HAROLD H. MANN,
Acting Director of Agriculture.

Poona, 17th May 1920.

REVENUE DEPARTMENT.

Bombay Castle, 19th May 1920.

No. *E. Misc.*—The following notice by the Board of Examiners, Calcutta, is republished :—

"QUALIFIED URDU TEACHERS.

Abbottabad.

M. Q. Rahmat Ullah Khan, B.A.—C/o M. Ramzan & Sons, Abbottabad.

Allahabad.

M. Shaikh Mohammad Ismail—South Malaka, Allahabad.
M. Syed Mazhar-ul-Husain—253A, Mohtashim Ganj, Allahabad.
M. S. Athar Husain Jafari, Head Maulavi, A. P. Mission High School, 257 Chak, Allahabad.
*M. Mohd. Ibrahim, Persian Teacher, Government High School, 38, Kydganj, Allahabad.

Ambala.

M. Mohd. Akbar Khan Haidari—The Oriental Lodge, Ambala.
M. Zafarullah Khan Haidari—Oriental Lodge, Ambala.
M. Chhote Lal—Lalkurti Bazar, Ambala.
M. Jawala Parshad, Regimental Munshi, Lalkurti Bazar.
M. Gulam Qadir, Karimullah's Compound, near H. M. High School, Ambala Cantonment.
M. Mohomed Khalil, Urdu Instructor, Mohalla Maimaran, Ambala City.
*M. M. Muzaffar Hamid Faruqi—Munshi Rasul Bakhsh Compound near Kali Bari.
*M. Rahmat Khan—Mir Munshi, Sadar Bazar, Ambala.

Amritsar.

M. Mihruddin,—C/o Messrs. Karamdin Brothers, Hall Bazar, Amritsar.
M. K. R. Mehta—Regimental Munshi,—1st F. S. Garrison Battalion, Somerset Light Infantry, Amritsar.
M. Abdul Hamid, C/o Dr. Sheikh Meraj-ud-Din, Chief Sanitary Inspector.

Asansol.

M. Shukh Deo Lal, 44 Bastin Bazar, Asansol.

Amroha.

M. Khwaja Amir Ahmad Ansary, Government High School, Amroha.

Bangalore.

M. Ghulam Ahmed Sahib—58, Dispensary Road, Bangalore (Cantonment).

Bannu.

M. Mul Chand Khurana, Munshi Alim—Pensioner, Bannu.

Bareilly.

M. Hafizuddin Khan, B.A., Aqab Kotwali, Bareilly.
M. Basheer Ahmad—Bazaria Inayatganj (Old City).
M. Hadiyar Khan, Old City Sailani, Bareilly.
M. Syed Sharafat Ali, 313, Sadar Bazar, Bareilly Cantonment.
M. Hafiz Abdul Aziz, 313, Sadar Bazar, Bareilly Cantonment.

Barrackpore.

M. Njsar Ahmed Khan—89, Baker Mahal.

Belgaum.

Saiyid Mustafa, Kamat Galli.

Benares.

M. Farzand Ali Khan—Regt. Munshi, C/ô Dr. Abdul Karim Kammi, 11/36, Qasai Muhulla, Orderly Bazar.

Bombay.

M. Ghulam Murtaza Beg—668, Parel Road, Byculla, Bombay.
Mr. H. M. Anwar—Karelwadi, Thakurdwar Road, Post No. 2, Bombay.
Mr. Musa Younus Hakim, Mustafa Lodge, Antop Hill, Matunga, Bombay.
*Mr. Mohd. Shafi Ahmad Mazhari, M.A., 668, Parel Road, Byculla, Bombay.

Budaun.

Mr. M. Abdul Salem—Birhampur, Budaun.
M. Sami Uddin Qadri—C/o M. Hamiduddin, Maulvi Tola, Budaun, U. P.

Calcutta.

M. A. M. F. Wahhab—Librarian, Calcutta Madrassah, 14, Zakaria Street, Calcutta.
M. A. M. Ubaidur Rashid, B.A.—4, Korabardar Lane, P. O. Wellesley, Calcutta.
M. Abdul Badi—5. Ramsanker Roy Lane, Calcutta.
M. Abdul Habib Khan, 12, Jamadar Khan Lane, Balligunge.
M. Abdul Karim Nashtar, 8, Jamadar Khan Lane, Balligunge.
M. Abdul Wajid—106, Harrison Road, Calcutta.
M. Akmal Ali Akmal, 25, Nur Ali Lane, P. O. Entally.
M. Azherus Sadain, Teacher, Calcutta Madrasah, 138/1, Karaya Road.
M. Azizun Nabi Khan, 27, Karaya Bazar Road, Balligunge, Calcutta.
*M. Badruddin Ahmed, B.A.—3, Elliot Lane, Calcutta.
M. Badru-z-Zaman—212/1, Linton Street, Calcutta.
M. Daliluddin Ahmed—41, Ice Factory Lane, Entally.
M. Habibun Nabi Khan Saulat, 88/1, Baitak Khana Road, Amherst Street P. O.
M. Husain Mirza, 4/1, Collin Lane.
†M. Mirza S. M. K. Sultan, B.A., M.F., 11, Colootolla Street, Calcutta.
M. Mohd. Aazam, 19, Tilzala 1st Lane, P. O. Balligunge, Calcutta.
M. Mohd. Gholam Kibriya Ibrat—17/1, Noorallah Doctor's Lane, Balligunge Road, Calcutta.
*M. Mohd. Hassan Jafri, 41, Gardner Lane, Entally P. O.
M. Mohd. Israil Khan, 5, Doctor Karam Hossain Lane, Balligunge.
M. Mohd. Muslim, 12, Damzen's Lane, Chinapara.
M. Mohd. Quasim Khan, 7, Agha Mehdi Street.
M. Mohd. Qurban Ali Asri, 7, Onrait 1st Lane, Entally P. O.
M. Nyzamuddin, 12, Damzen's Lane, Chinapara.
M. Raza Ali Wahshat, M.R.A.S.—2/1/2, Tiljala 1st Lane, Balligunge, Calcutta.
M. S. E. Haque, 41, Gardner Lane, Entally, P. O.
M. S. M. Yunus, Baker Hostel, Calcutta Madrasah, Calcutta.
M. Shahabuddin Ahmad Siddiqi—41, Gardner Lane, Entally P. O., Calcutta.
M. Syed Abu Zafar—36, European Asylum Lane, Calcutta.
M. Syed Hamiduddin Ahmed—17-C, Elliott Hostel, Wellesley Sqr., Calcutta.
M. Syed Nawab Ali—11, Colootolla Street, Calcutta.

Cawnpore.

M. S. Abdul Ghani—Regimental Munshi, Garrison Battalion, Royal Irish Rifles.
M. S. M. Aminuddin, Regimental Munshi, 11th Machine Gun Battalion.
M. Sheikh Abdul Rabb, Regimental Munshi, 117th Battery, Royal Field Artillery.

Delhi.

M. Aziz-ur-Rahman (of Delhi)—Regimental Munshi, The Fort, Delhi.

Khan Sahib M. A. Khan Haidari, Akbar Manzil.
†M. H. A. Fakhrie, Oriental Professor, Akbar Manzil.

Dehra Dun.

*M. Aziz Mohammad Khan Afridi "Jarih" (Lucknow) 2/A, New Road.
M. Rashiduddin Ahmed Khan, of Patna, 2/A, New Road.

Ferozepore.

M. Suraj Narain, B.A.—Kabari Bazar, Ferozepore.
M. Harnam Das—Headmaster, Malwa Khalsa School, Ferozepore City.

Hazara.

M. Syed Mohammad, B.A. (Cal.)—near Civil Dispensary, Mansehra Dist., Hazara.

Hapur.

M. Aftab Ali, Mohalla Kaziwara, Hapur, Dt. Meerut.
M. S. Khurshed Ali, Mohalla Kaziwara, Hapur, P. O., District Meerut (U. P.).

Hissar.

M. M. I. Jan Bukhari, C/o Booking Clerk, Railway Station, Biwani District, Hissar.

HYDERABAD (DECCAN).

M. Jamaluddin—Revenue Secretariat, H. E. H. the Nizam's Government, Hyderabad.

JHANSI.

*M. Mohd. Sadiq Ali, 39, Orchha Gate, Jhansi.
M. Abdullah Khan—Officers' Munshi, Sadar Bazar, behind Kotwali.
M. Nirmal Prasad Jain, Sadar Bazar.

JHELUM.

M. Thakur Das Pahwa—Officers' Munshi, Jhelum.

M. Chandan Khan, Officers' Munshi, Phurianwala Bazar, Jhelum.

JUBBULPORE.

M. Abdul Rahim—Regimental Munshi, 1/4th Royal West Kent Regiment, Sadar Bazar, Jubbulpore.

M. Mohd. M. Haque, Officers' Munshi, C/o Nisar Ali Shah's Garden, Nerbadda Road, Jubbulpore Cantonment.

Mr. Mahomed Zahid Khan, C/o Hakim Mahomed Hayat Khan, General Merchant, Sadar Bazar, Jubbulpore.

M. No. 534 Nk. Ghaus Ali Shah, School Master, 2-76th Punjabis, Jubbulpore.

JULLUNDUR.

M. Karam Chand—C/o Jacki Mull & Sons, Sadar Bazaar, Jullundur Cantonment.

M. Dharm Lal—C/o Oriental Book Depôt, Jullundur.

KARACHI.

M. Anandram Thadamal—Regimental Munshi, Norfolk Regiment, Garrikhata, Karachi.

M. Mukhtar Ahmad, Bari Bazar, Camp Karachi.

KASAULI.

M. Anand Sarup—Depôt Munshi, Kasauli (summer only).

KOHAT.

*M. Lal Muhammad Qureshi, Officers' Munshi, C/o Head Master, A. V. M. Islamia School, Kohat.

KOLHAPUR.

Pt. Vasudeo Damodar Kulkarni—112, Shahupuri, Kolhapur.

LAHORE.

M. Sham Lal Bhargava—Officers' Munshi, Sadar Bazar, Lahore Cantonment.
M. Mohd. Ishaq—Regimental Munshi, Bengali Mohalla, Sadar Bazar, Lahore Cantonment.
M. Muhammad Din, clerk, Signal Engineer's Office, Lahore.
M. Abdur Rahman Ahmedi, Head Clerk, No, 1, Base Depôt. Medical Stores, Lahore Cantonment.
M. Abdul Huq., C/o M. Abdul Hamid, Professor, Government College, Lahore.
M. Brahmanand Aggarwal, Aggarwal Asram, Room No. 47, Lahore.
M. Hakim Rashid Ahmad Khan, C/o Khan Bahadur N. Mohd. Nasiruddin Khan, Rais and Judge (Rtd.), Lahore.
M. Abdul Hakim Khan, Nishtar, Arriaz.
M. Aulad Ali Gilani, B.A., M.F., H.P., Miran Shah Lane, Taksali Gate.
M. Murtaza Ahmad Khan, Akhgar Durrani, Rewas Hostel.
M. Mohd Khalilur Rehman Sabri, Bhati Gate, Noor Mohalla, Lahore.
M. M. Waris Ali Khan 'Waris', Central Training College, Lahore.

LUCKNOW.

M. Abdul Karim—C/o The 10th Battalion, Middlesex Regiment, Lucknow.
M. Mohd. Ashfaq Husain—Regimental Munshi, 1/10th Middlesex Regiment, Lucknow.
M. Krishna Saran Mathur, Senior Decree-writer, Court of the Judicial Commissioner of Oudh, or 162, Maulviganj, Lucknow.
†M. Abdul Alim, Hussainganj, Lucknow.
*M. Mohd. Yaqub Khan (Munshi Fazil), near Royal Hotel.
M. Mohammad Musharraf Ali, Hewett Road, near Post Office, Lucknow.
M. Zainul Abedin, Asst. Master, Islamia High School, Lucknow.
*M. Abdul Hamid, Kook's Hospital, Ghusyari Mandi, Lucknow.
M. S. Muzaffar Hussain 'Zaidi', C/o Maulana 'Sofi', Molvi Ganj, Lucknow.
M. Mohd. Fazil Khan, C/o Munshi Karim Khan, Chhitwapur, near Takya Langara Shah.
M. Mohd. Ashfaq Husain, Regt. Munshi, 8th (K. R. I.) Hussars.
M. S. R. Kapur, Regimental Munshi, 2nd Norfolk Regiment, Dilkusha, Saddar Bazar, Lucknow.

LUDHIANA.

M. Kishori Lall Jethi, Khanna Khurd, District Ludhiana.
M. Amar Nath Yogi, Professor of oriental languages, Ludhiana.
M. Abdul Muid, S/o S. M. Ahmad, Retired Ludhiana Municipality.

MADRAS.

M. Muhiddin Hussain Sahib, 15/16, Vathiar Chinniah Pillai Street, Royapettah, Madras.
Saiyed Mahmud Padshah, General Collin's Road, Vepery.
Saiyid Mazheruddin Ahmed, 15/16, Muktarunnisa Begam Street, Mount Road.

MAYMYO.

Saiyid Amir Ali of Delhi, Alexandra Barracks.

MEERUT.

M. Ahmad Bux, Regimental Munshi, 21st (Empress of India) Lancers.
M. Mohamed Sarwar, Chisti Regimental Munshi, 112-A, Imambara, 12th Brigade, R. H. A., Lalkurti Bazar.

MHOW.

Mr. Thomas Shah, son of Shaikh Mahomed Shah, C/o Commandant, Machine Gun Centre, Mhow.

Mr. Syed Muhammad Umar, C/o Post Master, Mhow.

MULTAN.

M. Sultan Mohammad—Regimental Munshi, Multan Cantonment.
M. Sher Ali Khan Rind, House No. 634, Sudder Bazar, Multan.
M. S. M. Ramzan Masrur, Cantonment School, Multan.
M. Sahibzada Dost Mohd. Khan, Durrani, Chahwala Hata of L. Jagannath, Sadar Bazar, Multan Cantonment.
*M. Din Mohd. Khan 'Talib,' Regimental Munshi, 2nd Battalion, The Buffs, Multan Cantonment.
M. Ghulam Haider Khan, Regimental Munshi, 3rd Brigade R. G. A., Connaught Barraccks.

MURREE HILLS.

M. S. C. Bagchi—Munshi, Lawrence Government European School, Ghoragali, P. O. Murree Hills.
M. Ghulam Mohy-ud-Din—Regimental Munshi, 2nd North Staffordshire Regiment (summer only).
M. Bodh Raj—Regimental Munshi (summer only).
M. Abdul Karim Khan—Regimental Munshi, 2/4th Borderers, Lower Gharial, Murree Hills.

MUSSOORIE—NAGINA.

M. S. M. Sharafat Ali, C/o S. Riyaz Ahmad, Mohalla Akabiran, P. O. Nagina, District Bijnore.

NAINI TAL.

M. Faqir Ulla—St. Joseph's College, Naini Tal.
M. Mahmud Hasan Israili, Talli Tal.

NASIRABAD.

M. S. Sadiq Ali, Munshi Fazil, C/o Peerjee Mohd. Ali, Sugar and Tea Merchant, Nasirabad (Rajputana).

NOWSHERA.

M. Sadal Mabud, Officers' Munshi, Nowshera City.
M. Ahmed Din, Regimental Munshi, 2nd Royal Warwickshire Regiment, Sudder Bazar.
M. M. Zainul Abdin Abid, Officers' Munshi, Nowshera City.

PACHMARHI.

M. Syed Aftab Ali, Hindustani Teacher.

PATNA.

†M. S. Fasihuddin Balkhi—Bakhshi Muhalla, Patna City.
*M. Syed Abdullah Afzali of Patna, C/o M. H. Syed Kifayet Husain Sahib Khan Mirza Mohalla, P. O. Mohendru, (Patna).

Peshawar.

M. Abdur Rahim—Head Master, Islamia High School, Peshawar.
M. Ajab Shah Anand—Officers' Munshi, Daki Nama, Peshawar City.
M. Kazi Ghulam Nabi, opposite General Post Office, Sadar Bazar, Peshawar.
M. S. Ali Hussain Shah, Garhi Hazrat Karim Shah Sahib Bukhari, Karimpura, Peshawar City.
M. H. S. Wajid Ali Shah, Mohalla Sayedan, Karimpura, Peshawar City.

Poona.

M. S. Karim Baksh—Regimental Munshi, 2nd Bn., the Lincoln Regiment, Gharpuri, Poona.

Purnea.

M. Mohd. Shuaib, Head Maulavi, Zilla School.

Quetta.

M. S. Abdul Aziz, The King's Regiment, Quetta.
M. Syed Inam Ali—Mission Road, Quetta.
M. Sita Ram Mehta, Babu Muhalla, near Arya Samaj, Quetta.
M. Mohd. Sarwar Khan, Mirza, Persian Professor, Government High School, Quetta.

Rawalpindi.

M. Ghulam Mohy-ud-Din—Regimental Munshi, 2nd Battalion, North Staffordshire Regiment, Rawalpindi (winter only).
M. Ghulam Rasul—Sadar Bazar, Rawalpindi.
M. Bodh Raj—Regimental Munshi (winter only).
†M. Fazl Elahi—C/o Ellahi Buksh & Co., Polo Sports Works, near Massy Gate, Rawalpindi.
M. Mohd. Abdul Khaliq—C/o Munshi Alli Ahmad, Butcher's Street, Sadar Bazar, Rawalpindi.
M. Amir Bukhsh Gyani, M. F., Professor of Oriental Languages, Ihata Sultan, Rawalpindi City.

Risalpur.

M. Kazi Abdul Haqq Khan—Regimental Munshi, Royal Flying Corps, Risalpur Cantonment.
M. Zafar Shah Bukhari—Head Clerk, Cantonment Magistrate's Office.

Roorkee City.

M. Fazl-i-Haq—Muhalla Satti, Roorkee City.

Rohtak.

M. Mohammad Akeeluddin, Fort, Rohtak.
M. Abrar Ali—Junior English Teacher, Government High School, Rohtak.

Saugor.

M. Rameshwar Dayal—Officers' Munshi, Sadar Bazar, Saugor, C. P.

Satara.

M. I. B. Bhaldar, Officers' Munshi, 35, Rajuspura, Satara City.

Sialkot.

M. Abdul Hamid Khan, Regimental Munshi, Bn. The Royal Inniskilling Fusilliers.
M. Ghulam Rasul Syed, Raja Street, Sialkot.

Simla.

M. Abdul Latif, Urdu Instructor, C/o M. Mohamed Buksh Sahib, Pleader, Lower Bazar.

QUALIFIED CANARESE TEACHER.

Bangalore.

M. R. Ry. K. Hanumantha Rao, No. 1, Main Road, Seshadripuram, Bangalore.

QUALIFIED MARATHI TEACHERS.

East Khandesh.

Mr. Laxman Narayan Phandis, B.A., C/o Mr. M. N. Phadnis, Editor, Kavya-Ratnawali, Jalgaon.

Poona City.

Mr. Govind Krishna Modak, Sanskrit Teacher, New English School, Poona City.
Mr. D. K. Pathak, 442, Sadashiv Peth, Poona City.
Mr. V. L. Deshpande, 641, Budhwar Peth, Poona City.
*Mr. Pandurang Shamrao Bawle, 817, Shukrawar Peth, Karaley's Wada, Poona City.

Ratnagiri.

M. Waman Vishnu Vaidya, C/o Mr. R. K. Bal, B.A., LL.B., Sub-Judge, Malwan, District Ratnagiri.

Sholapur.

Mr. Vishnu Anant Salgarkar, C/o Mr. Harichand Amichand Shah, Sholapur.

N.B.—Whenever any teacher changes his address, he is requested to communicate his new address to the Board of Examiners.

Teachers whose names are preceded by an asterisk (*) are considered especially competent to give advanced instruction in the language.

Teachers whose names are preceded by a cross (†) are out of India.

E. S. HARCOURT, Major,
Secretary and Member, Board of Examiners.

Calcutta, the 7th May 1920."

P. J. MEAD,
Chief Secretary to Government.

LATE NOTIFICATIONS.

GENERAL DEPARTMENT.

Bombay Castle, 26th May 1920.

No. 5866.—His Excellency the Governor in Council is pleased to make the following appointments vice Lieutenant-Colonel A. V. Anderson, M.B., D.P.H., I. M. S. (retired) :—

Dr. Jamshyd Dadabhai Munsiff, M.R.C.P., F.R.C.S., D.P.H. (Edin.), to be Deputy Sanitary Commissioner, Western Registration District.

Major I. Davenport Jones, M.D. (London), I. M. S., in addition to his own duties, to act as Deputy Sanitary Commissioner, Gujarát Registration District, vice Dr. J. D. Munsiff pending further orders.

No. 5868.—Mr. Y. G. Nadgir, M.S., Professor of Anatomy, Grant Medical College, is granted with effect from the date of relief such privilege leave of absence (made up of five days' leave on full pay and the rest on half pay) as may be due to him on that date in combination with leave on private affairs for such period as may bring the combined period of absence up to six months.

No. 5869.—His Excellency the Governor in Council is pleased to appoint Mr. B. P. Sabawalla, L.M. & S., M.R.C.S., L.R.C.P., F.R.C.S., to act as Professor of Anatomy, Grant Medical College, during the absence on leave of Mr. Y. G. Nadgir, M.S.

By order of His Excellency the Honourable the Governor in Council,

J. C. KER,
Acting Secretary to Government.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

The
Bombay Government Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

FRIDAY, 28TH MAY 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART I.

NOTIFICATION.

PUBLIC WORKS DEPARTMENT.

Bombay Castle, 28th May 1920.

The following Press Communiqué, No. 812-*Ry.*, dated 28th May 1920, is published for general information :—

PRESS COMMUNIQUÉ.

As it has been brought to the notice of Government that the Ashadi Fair will be held at Pandharpur in June next, and as there is no improvement on past years in respect of rolling stock for dealing with the fair, it is hereby notified for general information that the Great Indian Peninsula Railway Company cannot arrange for additional passenger or special trains for pilgrims proceeding to and from the said fair. Intending pilgrims are therefore warned not to undertake the journey on this occasion.

By order of His Excellency the Honourable the Governor in Council,

E. M. PROES,
Acting Joint Secretary to Government.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

The

Bombay Government Gazette

EXTRAORDINARY.

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SATURDAY, 29TH MAY 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART I.

NOTIFICATION.

JUDICIAL DEPARTMENT.

Bombay Castle, 28th May 1920.

No. 4924.—The following notification of the Government of India, Home Department, dated the 26th May 1920, is republished :—

" NOTIFICATION.

The Report of the Committee which was appointed in Resolution No. 2101 dated the 14th October 1919 to investigate the disturbances in Bombay, Delhi and the Punjab is being published to-day. The following correspondence which has passed between the Secretary of State and the Government of India regarding the findings of the Committee and the action to be taken on the Report is published for general information.

No. 2.

GOVERNMENT OF INDIA.

HOME DEPARTMENT (POLITICAL).

To—The Right Honourable EDWIN MONTAGU,
His Majesty's Secretary of State for India.

Dated Simla, the 3rd May 1920.

SIR,

We submit for your information and for any orders His Majesty's Government may desire to issue the report which was presented on the 8th March 1920 by the Disorders Committee together with our review of the report and our conclusions thereon. In the ordinary course the report would have been published with a resolution of the Government of India in the Home Department, but we consider the subject so important that after discussion with you we have decided that it is best to communicate to you our views and findings on the report for the information of His Majesty's Government. We desire to add that our views and conclusions are unanimous, except on those points where the dissent of our Hon'ble Colleague, Mr. Shafi, has been expressly indicated. We may also state that our Hon'ble Colleague, Sir George Lowndes, now on leave, concurred in all the conclusions we had reached up to the time of his departure.

2. In Resolution No. 2168, dated the 14th October 1919, the Governor-General in Council with the approval of the Secretary of State appointed a Committee to investigate the disturbances in Bombay, Delhi and the Punjab, their causes, and the measures taken to cope with them. The Hon'ble Lord Hunter, lately Solicitor-General for Scotland and now Senator of the College of Justice in Scotland, was appointed President of the Committee which consisted of the following Members :—

(1) The Hon. Mr. Justice G. C. Rankin, Judge of the High Court, Calcutta.

(2) The Hon. Mr. W. F. Rice, C.S.I., I.C.S., Additional Secretary to the Government of India, Home Department.

(3) Major-General Sir George Barrow, K.C.B., K.C.M.G., I.A., Commanding the Peshawar Division.

(4) The Hon. Pandit Jagat Narayan, B.A., Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(5) The Hon. Mr. Thomas Smith, Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(6) Sir Chimanlal Harilal Setalvad, Kt., Advocate of the High Court, Bombay.

(7) Sardar Sahibzada Sultan Ahmed Khan, Muntazim-ud-Doula, M.A., LL.M. (Cantab.), Bar.-at-Law, Member for Appeals, Gwalior State.

The Committee began its sittings on the 29th October 1919, and after hearing evidence at Delhi, Lahore, Ahmedabad, and Bombay finished its labours in the first week of March 1920, when its report was presented to the Government of India.

Before reviewing the findings of the Committee we desire to make some preliminary observations regarding the scope of the enquiry, the procedure followed by the Committee in recording evidence, and the general character of its conclusions.

3. In order to obtain a general view of the character of the disturbances and of the scope of the enquiry it will be useful to explain briefly the relative geographical position of the chief centres of disorder and to refer to a few salient dates which indicate the sequence of events in point of time. It was at Delhi—the capital of India and from its historical and commercial importance a determining factor of considerable weight in the attitude of the rest of Northern India—that disturbances first occurred on the 30th March. They were of such a character as required the use of the military to restore order and before this was achieved it became necessary to fire twice on the mob. On the 10th April violent rioting took place at Amritsar and Lahore in the Punjab, and at Ahmedabad in the Presidency of Bombay, and distinct unrest manifested itself in a minor degree at places as far distant as Calcutta and Bombay. Lahore is a city of 230,000 inhabitants and the capital of the Punjab. Amritsar which is 20 miles east of Lahore is a town of more than 150,000 inhabitants and of great commercial importance. Ahmedabad has a population of roughly 280,000 and is an industrial town where 78 mills are located. The distances respectively of Lahore, Amritsar and Ahmedabad from Delhi are roughly 300, 280 and 540 miles. The situation in the Punjab after the 10th April rapidly deteriorated and martial law was proclaimed on the 15th April in the districts of Lahore and Amritsar, and shortly after in three other districts. About two weeks later a thunder cloud on the frontier burst and the mobilization of troops for the Afghan War began on the 4th May. This seriously affected the general situation in the Punjab and it was not found possible to withdraw martial law from all the districts concerned before the 12th June nor from railway lands till a later date. These were briefly the events which with their causes and consequences formed the subject matter of the Committee's enquiry.

4. The next point to which the Government of India wish to advert is the decision of the All-India Congress Committee to abstain from presenting evidence before the Committee of Enquiry. As explained by Lord Hunter in his letter of the 8th March forwarding the report of the Committee, all persons desirous of giving evidence were invited to submit their names and addresses, together with a brief memorandum of the points on which they desired to give evidence, and it was left to the Committee to decide what evidence they would hear. Lord Hunter has described the circumstances in which the Congress Committee declined after the 12th November further to assist the Committee of Enquiry by appearing before it and tendering evidence, the offer which the same body made on the 30th December to produce their evidence and re-open the enquiry, and the reasons which led Lord Hunter to reject that offer. We believe that Lord Hunter's account of the matter will convince all reasonable people that his decision was fully justified. The

point, however, which we wish to emphasize—and it is one which was present to Lord Hunter's mind also—is this, that the material placed at the disposal of the Committee and the evidence laid before it covered the whole field of enquiry. The official witnesses fully disclosed all they knew regarding the events in which they had participated and placed before the Committee all correspondence and other documentary evidence which had any bearing on the nature of the outbreak, the suppression of the disturbances, or the administration of martial law. It is a matter of regret to Government that this was not supplemented by the additional evidence which the Congress Committee had collected and that the evidence which has since been published by that body has not therefore been subjected to examination by an impartial tribunal. They are doubtful however whether it would have made any substantial difference to the general picture placed before the Committee, although it might have thrown further light on particular incidents. With regard to the firing at Jallianwala Bagh, on which the attention of the public both at home and in India has been so largely concentrated since December last, the Committee had the most ample materials for judgment and further evidence would have contributed nothing to their knowledge of the facts.

5. The Committee have now submitted their recommendations in the form of a majority and minority report. The majority report is signed by the President and four members of Committee, Mr. Justice Rankin, General Barrow, and Messrs. Rice and Smith. The minority report is signed by Sir C. H. Setalvad, Pandit Jagat Narain and Sahibzada Sultan Ahmad Khan. While two reports have been submitted, it is a matter of satisfaction to the Government of India that most of the findings of fact are unanimous and that in spite of differences of opinion as to the conclusion to be deduced therefrom there is considerable common ground in this respect also. That common ground covers the whole of the events in Delhi and the Bombay Presidency. It also covers much of the narrative of events and the causes of the disturbances in the Punjab. Nor is the divergence in the Punjab findings altogether basic. It is partly one of degree, partly one of the essential difference. Certain measures adopted in the suppression of the disturbances and the administration of martial law are condemned in both reports but with varying degrees of severity. This remark applies in particular to the joint condemnation of the firing at Jallianwala Bagh. The most important point on which there is an essential difference of opinion relates to the introduction of martial law in the Punjab. While the majority find that a state of rebellion existed, necessitating or justifying the adoption of that measure, the minority consider that the disorders did not amount to rebellion and that the disturbances might have been suppressed and order restored without abrogating the control of the civil authorities or calling in military force save as auxiliary to the civil power.

6. It will be convenient to explain at this stage the arrangement which has been followed in the reports. The first seven chapters of the majority report are devoted to accounts of the disturbances in Delhi, the Bombay Presidency, and the Punjab districts of Amritsar, Lahore, Gujranwala, Gujarat and Lyallpur. In each case the majority briefly review the disturbances and record their findings on the propriety of the measures adopted to check them and to restore order. In Chapter VIII they describe the widespread attacks on communications which have an important bearing on the general nature of the disorders. In Chapter IX they discuss the causes of the disturbances with more particular reference to the Punjab. Chapter X contains a brief description of the stages in the introduction of martial law. In Chapter XI the reasons for the introduction and continuance of martial law are considered, while—Chapter XII is devoted to a criticism of the administration of martial law.

The minority report follows a somewhat different plan of arrangement. Chapter I sets forth the general extent of the minority's agreement or disagreement with the findings of the majority. The nature and causes of the disorders are discussed in Chapter II. The justification for the introduction and the continuance of martial law in the Punjab is examined in Chapter III. Chapter IV is devoted to the firing at Jallianwala Bagh. The administration of martial law is discussed in Chapter V, the use of armoured trains and aeroplanes in Chapter VI and the working of the martial law courts in Chapter VII.

Although it might have been more convenient to review at the outset the findings of the Committee regarding the causes and nature of the disturbances, we are reluctant to depart from the general plan of the majority report, as any such departure would increase the difficulty of comparing its findings with those of the minority. We accordingly propose to examine the report chapter by chapter, to state our conclusions on the findings of the majority and minority, more particularly where these differ, and finally to explain the action which in our judgment should be taken on the report.

7. Chapter I deals with the disturbances at Delhi. The Committee are unanimous in finding that the authorities handled the situation in an adequate and reasonable manner,

that there was no provocative or unnecessary display of military force, and that the firing was justified on the three occasions on which it was found necessary to resort to this extreme measure. The actual collisions between the police and mobs are found to be the bye-products of the Satyagraha movement. The majority recognize that Mr. Gandhi's visit to Delhi after the first outbreak, if not prevented, would have been a serious embarrassment to the executive authorities there and might well have proved a source of great danger. The minority, while doubtful of the expediency of his exclusion and while thinking that his presence might have had a beneficial result, do not deny the possibility of developments endangering the public peace. The only criticism passed by the Committee on the measures adopted by the local authorities is that the Deputy Commissioner made a mistake in enrolling a number of leading citizens as special constables, though as they point out, these persons were not called on to render any services.

We accept these conclusions and have perused with satisfaction the commendation which has been bestowed by the Committee on the handling of the situation by the local officers. We do not consider that any blame attaches to the Deputy Commissioner for his appointment of special constables, as he acted in accordance with the established practice. We have, however, decided to address local Governments on the question whether the orders now obtaining on the subject in the various provinces require modification or revision. This is the more necessary as it appears that leading citizens were enrolled as special constables at other disturbed centres besides Delhi.

The Government of India consider that the events described in this chapter have an important bearing on the rest of the report, for they were the first fruits of the Satyagraha movement, the first collision between the forces of order and the adherents of the passive resistance or civil disobedience movement. The behaviour of the crowd on the 30th March, which rendered it necessary for the military and police to fire on two occasions cannot be ascribed to any action taken against Mr. Gandhi or local politicians. Such action has been pleaded in excuse of later mob excesses, but the internment order against Mr. Gandhi was not passed till ten days after the first outbreak of disorder at Delhi.

8. Chapter II gives an account of the disturbances in the Bombay Presidency. They were confined to Ahmedabad City and Viramgam in the Ahmedabad district, to Nadiad in the Kaira district, and to Bombay City. Viramgam is a town of 20,000 inhabitants, 40 miles distant from Ahmedabad, and Nadiad, which has a population of 30,000, is 29 miles from the same city. By far the most serious outbreak of disorder occurred in Ahmedabad which is the home of Mr. Gandhi and may be described as the birthplace of the Satyagraha movement. The disturbances began on the 10th April as soon as the people of Ahmedabad heard of the action taken against Mr. Gandhi, and were not finally checked till the 14th, although military assistance was called in from the afternoon of the 10th. It is not necessary to follow the report of the Committee into the details of the disturbances and the measures taken to quell them but it is important to notice that for two days mob law reigned in the city and the excesses committed included two atrocious murders, brutal assaults on Europeans and Government officers and the total destruction of the courts and other Government buildings. The efforts of the police and the military to protect the city and restore order were not successful till the military commander, with the concurrence of the District Magistrate, issued a proclamation on the 12th April, warning all people that any gathering of over ten individuals collected at one spot would be fired at and that any single individual seen outside any house between 7 p.m. and 6 a.m. who did not stop when challenged would be shot. The last occasion on which the troops fired was mid-day of the 13th April and the Committee find that there was not in fact any firing without warning nor was any person fired on, who was not either rioting or encouraging rioters. The outbreak came to an end abruptly on the 14th April and its cessation is ascribed partly to the effects of this proclamation and partly to the return of Mr. Gandhi who, be it said to his credit, used his influence with the people to assist the authorities in restoring order. During the disturbances telegraph wires were cut at eight places in Ahmedabad and at fourteen places outside, and property to the value of nine lakhs of rupees was destroyed. The number of rounds fired by the armed police and the troops was 748, and the number of ascertained casualties amongst the rioters was 28 killed and 123 wounded. The majority report comments thus on the measures taken to suppress the outbreak:—"We are of opinion that the measures taken by the authorities to deal with the disturbances were appropriate. The use of military force was unavoidable and the rioters alone were responsible for the casualties which ensued. The control of the city was in the hands of the military for less than two days and this has been referred to as a period of martial law. But beyond maintaining order and issuing the proclamation on the 12th April, the military authorities did not interfere with matters of administration. The so-called martial law orders were drastic, but the situation was most serious. The belief that all groups of more than ten men would be fired on without warning did much to restore order, and it appears that this instruction was not in fact literally carried out. We think that the troops

behaved with praiseworthy restraint in most trying circumstances, and that the military action taken was not excessive. The Bombay Government have informed us that the behaviour of the military during the period that they were stationed in the city was exemplary. Our investigation leads to the same conclusion."

9. The outbreak at Viramgam was marked by the same ferocity as in Ahmedabad by arson, murder, the destruction of Government property, and attacks on railway and telegraph communications. The fury of the mob culminated in the savage murder of Mr. Madhavlal, a magisterial officer, who after a relentless pursuit was dragged from a house where he had taken refuge to the public road, soaked in kerosine oil and burnt alive beneath piles of public records, his body being completely incinerated. The outbreak began on the morning of the 12th April and was not finally suppressed till troops arrived from Ahmedabad late on the evening of that day. The Committee find that the total ascertained casualties amongst the rioters were six killed and eleven wounded and that the value of the property destroyed by the mob exceeded two lakhs of rupees. They commend the conduct of the armed police who behaved with spirit and kept off the mob from the public offices for six hours. They consider that the force used against the rioters by the armed police and by the armed peons of the Salt Department under Mr. Caldecott was certainly not excessive, and say indeed that if greater force could have been applied at an earlier stage, an atrocious murder and much destruction of property might have been prevented. They express regret that the murderers of Mr. Madhavlal could not be brought to justice for want of adequate identification.

10. In Nadiad the chief incident was an attempt to wreck a train which was conveying British troops to Ahmedabad. The train was derailed but had a miraculous escape, as it was brought to a stand before running down a steep embankment. Several attacks were made on railway and telegraph communications, but no collision occurred between the people and the troops who were sent here as a precautionary measure.

11. In Bombay City attempts were made to create disturbances when news came of the exclusion of Mr. Gandhi from the Punjab and Delhi, but the situation was well handled by the police and the military, and with the arrival of Mr. Gandhi the disorder subsided. As the Committee were informed by the Bombay Government "the disturbances were attended by no fatal casualties or extensive destruction of public or private property. There was no suspension of the normal course of administration or of civil control over law and order. Offences committed in the course of the disturbances were dealt with by the permanent magisterial courts. There was no serious dislocation for any considerable time of the normal life of the city."

12. The minority accept the majority report in respect of all the disturbances in the Bombay Presidency, although they consider it almost certain that the unfortunate events at Ahmedabad and elsewhere would not have taken place, but for the orders passed against Mr. Gandhi, and add that according to the official evidence his influence on arrival was fully thrown on the side of law and order. They acknowledge the discretion and judgment displayed by Mr. Chatfield, the Collector of Ahmedabad, in dealing with a sudden and grave outburst of mob fury, and compliment the local Government in the following terms: "The manner in which the Bombay Government, while firmly taking adequate steps for the maintenance of peace and order in the city of Bombay and Ahmedabad and other places, avoided taking measures likely to cause public irritation and leave bitterness behind, displayed to our mind creditable statesmanship."

13. We accept the unanimous findings of the Committee regarding the disorders in the Bombay Presidency. We also endorse the opinions which have been expressed regarding the valuable service of the local officers, and the admirable behaviour of the troops engaged in the suppression of the disturbances. In this despatch it is impossible to review in detail the various outrages recorded in the report. A perusal of that document is necessary to appreciate correctly the cruelty of the mob, which was immediately directed against Europeans and Government servants. We desire to place on record our deep sympathy with all those who suffered at the hands of the mob and in particular with the relations of the magistrate and two police officers who were done to death in so dastardly a manner. Steps have already been taken to make provision for the dependents of these persons and to ensure adequate recognition of the services of those officers and others who rendered valuable assistance in this serious outbreak.

14. In Chapter III the Committee turn to the Punjab and deal first with the disturbances in the Amritsar district. They begin by describing the unrest and ferment which prevailed in Amritsar city prior to the 10th of April, on which date the first outbreak of disorder occurred. On the 9th the Deputy Commissioner received the orders of the local Government for the deportation of Drs. Kitchlew and Satyapal to Dharmsala. The action of the Deputy Commissioner in carrying out these orders quickly and quietly is approved and the precaution of concentrating seventy-five armed police at the kotwali (police station) is commended as wise. The subsequent breakdown of this arrangement is not held to be due to any want of foresight on the part of the local officers.

The Committee comment, however, on the failure to warn the European residents in the city of the danger of their position, observing that this omission seems inconsistent with the precautions taken for the evacuation of the women and children. At the same time they recognise the impossibility of predicting such an outburst of murderous antipathy against Europeans as actually occurred.

When the news of the deportation of Drs. Kitchlew and Satyapal became known, an excited and angry crowd attempted to make their way to the civil lines. The Committee find that the Deputy Commissioner was right in preventing the crowd from proceeding further in this direction, and that the firing which was ordered to secure this object was completely justified and in no way exceeded the requirements of the occasion. Similarly on the second occasion on which firing was ordered at the Hall Bridge they justify the action taken and agree that the necessity of the occasion was not exceeded.

15. The Committee then describe the violent excesses which were committed by the mob in the city. At the National Bank the manager and assistant manager were brutally beaten to death: their bodies were burnt under piles of furniture, and the building itself was sacked, set on fire, and completely gutted, while the bank godowns were looted of their contents. The Alliance Bank was next attacked and its manager was cruelly murdered, being flung from the balcony on to the street where his body was burnt under a stack of furniture soaked in kerosene oil. The building itself was spared, presumably because it was Indian-owned. The Committee condemn the police at the kotwali for failing to take steps to prevent these outrages, holding that the officers in charge might have prevented them but failed either to grasp, or to attempt to cope with their responsibility. The Chartered Bank which was also attacked escaped through police intervention. The Town Hall and post office were burnt and the telegraph office attacked but saved by the Jemadar of the station guard who fired on the mob. The Committee hold the firing at the telegraph office to be justifiable. They proceed to describe the looting of the goods station, the murders of Guard Robinson and Sergeant Rowlands, the murderous attacks on Mr. Bennett and Miss Sherwood, the determined search for Mrs. Easdon, the burning of various buildings including the Indian Christian Church, and the persistent efforts to injure communications and isolate Amritsar. The mob violence is described as anti-Government and anti-European and the gravity of the situation is made abundantly clear. In the course of a single day property to the value of seventeen lakhs of rupees was destroyed.

16. Later that day reinforcements in the shape of troops arrived and in the evening the Commissioner of the Division gave verbal instructions to the commanding officer that as the situation was beyond civil control he, as senior military officer, should take such steps as the military situation demanded. On the evening of the 11th the Commissioner left for Lahore and General Dyer arrived at Amritsar where he took over charge of the troops. The Deputy Commissioner made over formal charge to him at midnight of that day. Generally speaking, the Committee find no serious ground for criticism in regard to the action taken before the 13th April. The general conclusion of the Committee is that between the 10th and 12th the civil authorities had become powerless, and that the state of affairs on the 11th was inevitably leading to a state of *de facto* martial law, that the authorities were justified in the measures which they took to suppress disorder, including the cutting off of light and water supplies, and that they acted wisely in not attempting to take sterner and more resolute action to regain control within the city on the 11th and 12th.

17. The minority say that they are in general agreement with the statement of facts set out in Chapter III of the majority report, except where they specifically differ. They agree that all the firing which took place on the 10th April was justified and they differ on one point only. While the majority say that the firing at the bridge was in no sense the cause of the mob excesses of the 10th, the minority hold that, although the excesses were altogether inexcusable and without justification, the mob had not any previous fixed intention of committing excesses, but after the firing lost their heads and were seized by a mad frenzy to commit nefarious deeds.

18. We desire at this point to review the situation and the measures taken at Amritsar up to and including the 12th April. We endorse the finding of the Committee that the situation was one of great difficulty and consider that the action taken by the authorities was generally justified. We think, however, it is to be regretted that the civil authorities considered it incumbent upon them before the proclamation of martial law, to hand over control to the military in such terms as to suggest that they did not intend to exercise supervision or guidance over the action of the military commander. The result was to place the latter in a position of great difficulty and to impose upon him a grave responsibility which, in the opinion of the Government of India, should have continued to be shared by the civil authorities up to a later stage. It is not clear who was actually responsible for the complete abdication of civil authority, but the Government of India propose to make further enquiry into this matter and to pass such orders as may be necessary.

19. The Committee next deal with the events at Jallianwala Bagh on the 13th. They describe the place and give a full account of all the facts and circumstances of the firing, stating the number of rounds fired—1,650, and the extent of the casualties, the dead being estimated at 379, and the wounded at three times that number. They criticise General Dyer adversely on two grounds (1) that he opened fire without warning, and (2) that he went on firing after the crowd had begun to disperse. On the first point, they say that the only person who can judge whether notice should properly be given on such an occasion is the military officer concerned. The Committee point out however that General Dyer does not suggest the existence of an emergency justifying his decision to fire on the crowd without warning. He stated before the Committee that his mind was made up as he came along that if his orders were disobeyed he was going to fire at once. They think it distinctly improbable that the crowd would have dispersed without being fired on, as most of those present had assembled in direct defiance of a proclamation. Nevertheless they say that notice would have afforded those who had assembled in ignorance of the proclamation and others an opportunity to leave the assembly. In continuing to fire as long as he did, even after the crowd had begun to disperse, General Dyer, in the opinion of the Committee. committed a grave error, though they consider that he honestly believed on the information then before him and his appreciation of the existing military situation that he was called upon to take this step in the discharge of his duty. They find further that it was his intention to create a moral effect throughout the Punjab and they condemn this as a mistaken conception of his duty. As regards General Dyer's failure to attend to the wounded, they say that he had a very small force with him and as he explained the hospitals were open and no application was made to him for help. In conclusion, they do not accept the view that General Dyer's action saved the situation in the Punjab and averted a rebellion on a scale similar to the mutiny.

20. In dealing with the events of Jallianwala Bagh, the minority find that the notice prohibiting the meeting was not adequately published and they criticise General Dyer severely, (1) for suggesting that he would have made use of machine-guns if they could have been brought into action, (2) for opening fire without warning and continuing after the crowd had begun to disperse until his ammunition was spent, (3) for firing not merely to disperse the crowd but to punish it and to produce a moral effect in the Punjab, and (4) for assuming that the crowd before him consisted of the persons guilty of the outrages of the 10th. They maintain that it is immaterial whether General Dyer thought he was doing right or not and that the plea of military necessity will not avail him, as this plea is always used in justification of Prussian atrocities. They do not agree with the majority that it was probable that the crowd could not have been dispersed without firing, citing General Dyer himself in support of their opinion: and they describe his action as inhuman and un-British and as having caused great disservice to British rule in India. They attribute his conduct to a fixed idea that India must be ruled by force and they condemn his action in not taking steps for the removal of the dead and the care of the wounded. Finally, they criticise the failure of the Punjab Government to ascertain without delay the number of casualties. It should be here stated that the result of official enquiries which included a careful scrutiny of the information gathered by the Sewa Samiti (a Special Service Society) places the figures at 379 killed and 192 wounded. It is almost certain that the latter figure omits many who were only slightly wounded, but as an estimate of the more serious casualties the combined figure is probably nearer the truth than any estimate based only on a rule of proportion, such as that stated by General Dyer in his evidence before the Committee to be not beyond the bounds of possibility.

21. The difference in the measure of condemnation of General Dyer by the majority and the minority and the attention which has been directed to the events at Jallianwala Bagh both in England and in India, necessitate a careful examination by Government of the extent to which General Dyer should be held to be blameworthy. Looking to the specific findings on which the condemnation of his action is based, we consider that the orders of prohibiting assemblies should have been promulgated more widely and in particular that notices might have been posted up at Jallianwala Bagh, which had become a favourite assembly ground for political meetings. We think also that notice might have been given at the Baisakhi fair where many people from villages in the vicinity had collected. At the same time it is the case that the proclamation was made by beat of drum in the presence of General Dyer himself, and notices were published at nineteen places in the city: it cannot therefore be doubted that most of the residents of Amritsar present at the meeting were aware of the orders and collected in defiance of them.

The Government of India agree with the Committee that General Dyer should have given warning to the crowd before opening fire. It is true that he had only a small force with him and that in view of this circumstance and the previous successes of the forces of disorder it is most improbable that an excited and defiant mob would have dispersed on a mere warning, but those ignorant of the orders including the villagers who had come to visit the Baisakhi fair and indeed others would have had an opportunity of leaving the assembly if reasonable notice had been given to them. The Government of India agree that there was not such an emergency existing as to render this precaution impossible.

General Dyer's action in continuing to fire on the crowd after it had begun to disperse was, in the opinion of the Government of India, indefensible. He fired continuously for ten minutes during which time 1,650 rounds were expended. It is probable that General Dyer's action so intimidated the lawless elements in the population of Amritsar and neighbouring districts of the Central Punjab as to prevent further manifestations of disorder. The Government of India cannot however accept this as a justification of the continued firing which greatly exceeded the necessity of the occasion. The dispersal of the crowd was indeed a matter of vital importance in view of the situation which then existed in Amritsar and stern measures to effect this end were certainly required. In our opinion, however, much more restricted military force would have sufficed to produce this effect and General Dyer's action has undoubtedly left behind bitterness of feeling which will take long to pass away. He was no doubt faced with a position of great difficulty: he was apprehensive of Amritsar being isolated and he had before him the danger of allowing mob rule to continue after the terrible events of the 10th. Giving all due weight to these considerations, the deliberate conclusion at which we have arrived is that General Dyer exceeded the reasonable requirements of the case and showed a misconception of his duty which resulted in a lamentable and unnecessary loss of life. Although we are constrained to this decision, we are convinced that General Dyer acted honestly in the belief that he was doing what was right and we think that in the result his action at the time checked the spread of the disturbances to an extent which it is difficult now to estimate. This was the opinion of many intelligent observers in the Punjab. There remains the question of the failure to arrange for medical aid after the firing at Jallianwala Bagh. Here too we must express our great regret that no action was taken either by the civil or the military authorities to remove the dead or give aid to the wounded. The minority criticize Sir Michael O'Dwyer for expressing approval of the action taken at Jallianwala Bagh. On this point the Government of India have little to add to the account given by the late Lieutenant-Governor of the circumstances in which his approval was conveyed, but making every allowance for the difficult position in which Sir Michael O'Dwyer was placed, the Government of India think that he would have acted more wisely, if, before expressing any approval of General Dyer's action on this occasion, he had taken steps to ascertain the facts and circumstances of the firing more fully.

We desire to add here that our Honourable Colleague Mr. Shafi agrees generally with the minority in their findings of fact as regards Amritsar and the inferences deducted therefrom, where these differ from the findings and conclusions of the majority. He rejects the theory that General Dyer's action at Jallianwala Bagh saved the situation in the Punjab and averted a rebellion on a scale similar to that of the Mutiny. In his opinion the disturbances on and after the 14th of April in the districts of Gujranwala, Gujrat and Lyallpur were the results of the commotion caused by the Jallianwala Bagh affair.

22. We cannot leave this tragic occurrence without adverting to the charge that a veil of secrecy was deliberately thrown around it, the public being left to infer that the sinister policy of concealment has only been foiled by the revelations made before the Committee of Enquiry in December last. The insinuation is devoid of foundation. When the outbreaks of disorder occurred, the immediate necessity was to quell them and restore order. At a very early stage His Excellency the Viceroy decided that it was incumbent upon Government to hold an enquiry into the disturbances and the administration of martial law. In this opinion you concurred and in the third week of May in a speech in the House of Commons you made the following announcement:—

> "As regards these troubles which I have been describing, as questions have been asked from time to time and resolutions have been moved demanding an enquiry, the Viceroy has always contemplated an enquiry. You cannot have disturbances of this magnitude without an enquiry into the causes and the measures taken to cope with these disturbances, but no announcement has been made of enquiry up to this moment for this reason; let us talk of an enquiry when we have put the fire out."

This announcement is entirely incompatible with the suggestion of a conspiracy on the part of either the Government of India or the Secretary of State to suppress or conceal the details of the occurrence.

As a result of further communications between us the present Committee was appointed. The question of the composition of the Committee received the most careful consideration, as Government were determined that it should be a body of commanding weight and high judicial experience in which perfect confidence could be reposed by the public, both at home and in India. An announcement of the impending appointment of the Committee was made in the Imperial Legislative Council during its autumn session of September last. Apart from a general enquiry of this character the question whether the investigation of particular incidents should be deferred till the Committee assembled or should form the subject of preliminary proceedings had been carefully considered. Finally, however, we decided with your concurrence that such preliminary enquiries were inadvisable.

In considering whether preliminary enquiries should be held, the case of Jallianwala Bagh had received prominent notice, and after the decision the collection of information continued. The first report of the firing on the crowd at Jallianwala Bagh received by the Government of India on the 14th April placed the casualties at 200. This was supplemented two days later by a report that 200 was the number of killed. These reports were at once repeated to the Secretary of State. Fuller reports were not received till a later date. In the second half of April, General Dyer was fully occupied in marching troops throughout the disturbed area. Very early in May, owing to the outbreak of the Afghan war, he was selected for the command of the Kohat Brigade. From that date till the end of July he was continuously engaged in field operations; and his detailed report on the administration of martial law in Amritsar, including the firing at Jallianwala Bagh was not received till the month of August. Meanwhile the local Government had been pursuing enquiries to obtain accurate statistics regarding the extent of the casualties. The information elicited up to the end of August, which was confirmed by a scrutiny of the results of private enquiries made by the Sewa Samiti, showed that the ascertained death roll was then 291 and this was the figure stated at the meeting of the Imperial Legislative Council held in Simla on the 11th September. During this same session of the Council full accounts were given of the happenings in the Punjab and the story of Jallianwala Bagh was discussed in great detail. The proceedings of the debate were fully reported and published in the usual manner and indeed attracted great attention in India. The official enquiries, however, continued, and when the Chief Secretary to the Punjab Government gave evidence before the Committee four months later he stated that the total number of death casualties as then ascertained was 379, while a more recent report of the local Government, based on a scrutiny of the Sewa Samiti's information, places the number of wounded at 192.

From the time that it was decided to appoint the Committee, Government thought it proper to avoid as far as possible making any public comments on the transactions which it was the duty of the Committee to examine and to refrain from passing any judgment on the conduct of individual officers until they received the report of that body. There is no justification for the allegation that from the date of these occurrences until the publication of General Dyer's evidence before the Committee, the Government of India had been guilty of following a policy of deliberate suppression of the truth. The facts stated above clearly refute this libel.

It is no doubt a matter for regret that without resort to a formal enquiry full knowledge of what actually occurred should not have become general earlier. But the chapter is closed, and as Government and the public both in India and the United Kingdom are now in complete possession of the facts, recriminations and regrets serve no useful purpose.

23. Chapter IV deals with the disorders in the Lahore district. In the Capital itself the agitation against the Rowlatt Bills and the complete *hartal* of the 6th April had worked the people up to a state of intense excitement, which the news of Mr. Gandhi's arrest and of the disturbances at Amritsar brought to a head on the afternoon of the 10th. Crowds assembled in the city and endeavoured to overpower the police when the latter opposed their advance towards the civil lines. The Committee have carefully considered the circumstances under which fire was opened on this mob under the orders of the District Magistrate Mr. Fyson, and the Superintendent of Police, Mr. Broadway, on three occasions in the course of that afternoon, and they fully approve the action taken by these two officers. The Government of India are unable to think that any other conclusion is possible. The outrages at Amritsar were known at the time to the mob when it was proceeding to the civil lines and it would have been suicidal to allow it to succeed in its endeavour. The position in Lahore, after these attempts of the crowd to enter the civil lines had been repelled, is thus described by the Committee :—

> "On the night of 10th April and for some days following, the city of Lahore was in a dangerously disturbed condition. Military measures were taken on that night to protect the Civil station and its surroundings. No European could safely enter the city, from which the police were temporarily withdrawn. For about two days the city was controlled by the mob."

The Committee then describe the events of the 11th, the inflammatory speeches delivered at the Badshahi mosque to excited crowds of Hindus and Mahomedans, the organization of the *Danda Fauj*, a band of hooligans, who marched through the city armed with sticks (*lathis*) and destroyed pictures of Their Majesties, shouting that King George was dead. Attempts were made on the morning of the 11th to pull down the railings at the

Fort, where some of the rioters spat at the British soldiers on guard and called them "white pigs." On the same day the railway workshop was attacked and determined efforts were made to bring about a strike amongst the workers.

On the 12th another meeting was held at the Badshahi mosque, when an officer of the Criminal Investigation Department was severely beaten by the mob. On the same day a mixed column of police and military was marched through the city in an effort to regain control of the situation. The march was hindered by large crowds, assembled at the Hira Mandi, who refused to disperse when so directed by the District Magistrate and began to stone the small advance force of police which was with him. Mr. Fyson was obliged to open fire with the result that one man was killed and twenty wounded. The Committee consider that it was essential on this day to disperse the crowd and that it would have been the end of all chance of restoring order in Lahore if the police and troops had left without dispersing it. All the firing was done by the police. The fact that the police, armed with buckshot, were made to take the brunt of the collision with the crowd instead of the troops with service ammunition, the small number of shots fired by the police, and the warnings given to the crowd, showed, in the opinion of the Committee, that the greatest care was taken and the least possible degree of force was used.

Special attention is invited by the Committee to the use of inflammatory and seditious posters in Lahore, which in the name of Mahatma Gandhi called upon the brave people of the Punjab to enlist in the *Danda Fauj* and kill the English who were described as pigs, monkeys and kafirs. On the 13th April the district was proclaimed under the Seditious Meetings Act. On the same date the station of Wagah, about 14 miles off, was burnt and sacked, telegraph lines cut and an armoured train derailed, fortunately without loss of life. On the 14th the Punjab Government deported the local leaders, Rambhaj Dutt, Har Kishan Lal and Duni Chand, who had been actively associated with the agitation and the still-continuing *hartal*: all these men were convicted later of the offence of waging war. On the 15th April martial law was proclaimed in Lahore.

24. The second portion of Chapter IV describes the very serious disturbances which occurred on the 12th April at Kasur, a sub-divisional town, 37 miles south-east of Lahore. On the morning of that day a violent mob attacked the railway station, and after destroying and burning a considerable quantity of valuable property turned their attention to three trains which were held up near the station. Murderous attacks were made on a number of Europeans, including a lady and three children, who were travelling by these trains; some of them had miraculous escapes, but three persons were severely injured and two unfortunate warrant officers were beaten to death. Elated by their success, the mob next burnt down the post office and a civil court, and attacked the sub-divisional offices where the police were obliged to fire in defence of Government property with the result that four men were killed and several wounded. The Committee uphold the decision to fire upon the mob and think indeed that it should have been fired on at an earlier stage. Troops arrived from Ferozepore on the afternoon of the 12th and averted further trouble. Outbursts of disorder occurred at two other places in Lahore district, at Khem Kharan on the 12th when the railway station was attacked with some resultant damage, and at Patti, where telegraph wires were cut on the night of the 11th and the post office and railway station were attacked on the 12th.

We accept all the findings of the majority, in which the minority concur, with regard to the disturbances in Lahore district and the measures taken to suppress them. We consider that praise is due to Messrs. Fyson and Broadway for their handling of the difficult situation in Lahore city.

25. Chapter V deals with the very serious outbreak at Gujranwala which is a town of 30,000 inhabitants about 36 miles north of Lahore. There had been here as elsewhere the usual agitation against the Rowlatt Bill and a complete *hartal* was observed on the 6th April, but no violence had occurred or was anticipated till the 13th, when the news of the happenings at Amritsar and Lahore on the 10th gave rise to local excitement. That evening the authorities learnt that further demonstrations were intended next day and the acting Deputy Commissioner took such police precautions as seemed to him necessary. The Committee describe in detail the outrages which were committed in the town on the 14th including the attack on a train, the setting fire to the Gurukul bridge, the burning of many buildings, and numerous injuries to railway and telegraph communications. The mob had obtained complete mastery and the police were unable to stop the senseless destruction of property which occurred or to secure the safety of the European and loyal population. The post office, the revenue office, the church, and the district court were all burnt down. The jail and the police lines were attacked but were saved by the police firing. The mob then returned to the railway station, set the buildings and goods sheds on fire, and looted their contents. Those European families which had not been sent away as a precautionary measure on the previous evening were collected for safety in the Treasury, which was protected by a small police guard. Communications mean-

while had been interrupted on every side; by the end of the day practically all the wires along the railway in front of the city were cut for a distance of some miles. On account of this interruption of communications, it was impossible to send ordinary military aid to Gujranwala and it was in these circumstances that the use of aeroplanes for the relief of the town was sanctioned. The police were nearly exhausted when about three o'clock in the afternoon three aeroplanes from Lahore arrived over the town. It was not till nine o'clock that night that the first troops arrived.

The important findings of the majority regarding events at Gujranwala are (1) that Mr. Heron's action in firing on the mob is entirely approved; (2) that the conduct of the acting Deputy Commissioner in refusing to allow firing when the mob attacked the post office is open to criticism; (3) that the mob was seeking to imitate what had been done at Amritsar; (4) that the decision to use bomb-carrying aeroplanes was justified in the circumstances, though recourse to the use of aeroplanes in civil disorders cannot be defended save in cases of the utmost urgency; and (5) that generally speaking, the action of the aeroplane officer, Major Carberry, was justified but that his instructions were defective. On all these points the Government of India are in entire agreement with the Committee and desire to commend Mr. Heron who behaved well in circumstances of great difficulty. The Committee find that the dropping of bombs on two outlying villages and on the Khalsa High School cannot be defended, but the fault lay chiefly with the instructions given to Major Carberry and they impute no blame to him for a decision taken in the air and at the moment. They observe that the dropping of bombs on the riotous crowds within Gujranwala city was not only justified, but, in their view, invaluable, and the fact that the disorders were ended long before troops arrived is in large measure attributable to this act. They say that no insufficient explanation has been given to justify the use of an aeroplane on the 15th of April for purposes of offensive action, and they conclude by recommending that the instructions to be issued to Air Force officers regarding the procedure to be followed by them on such occasions should form the subject of careful enquiry by the Air Force Headquarters.

The minority discuss the employment of aeroplanes in Chapter IV which is entitled "Armoured Trains and Aeroplanes." They agree with the majority in saying that the use of aeroplanes to quell civil disorders should as far as possible be deprecated. They condemn Major Carberry for dropping bombs on the Khalsa High School and two outlying villages, and say that though the orders he received were not worded with sufficient care, he did not exercise his discretion wisely in carrying them out. They find also that his action in firing with a machine-gun on the crowd was excessive.

26. So far as the general question of the use of aeroplanes at Gujranwala is concerned, the Government of India accept the finding of the majority which is aptly expressed as follows:—"We are not prepared to lay down as a charter for rioters that when they succeed in preventing the ordinary resources of Government from being utilized to suppress them, they are to be exempt from having to reckon with such resources as remain." We do not consider that it would be right to censure the officers who have been mentioned in connection with individual incidents, as their acts, where condemned, are more to be ascribed to want of clearness in their instructions than to errors of judgment. We think that the despatch of aeroplanes on the 15th under instructions which admitted of their being used for offensive action was not justified, but we do not consider that the officer who carried out the instructions was seriously to blame. We note, however, with satisfaction that, so far as known, no casualties resulted from the action taken on this date. Finally, we propose to take steps to give effect to the recommendation of the majority that the instructions to be issued to Air Force officers on such occasions should be carefully prescribed.

27. There were outbreaks of disorder at fourteen other places in the Gujranwala district, but the Committee discuss those only which occurred at Wazirabad, a town of 20,000 inhabitants 20 miles north of Gujranwala, at Akalgarh, and Hafizabad, and in the Shekhupura sub-division. At Wazirabad a riotous mob was repelled from the railway buildings, but did extensive damage to the telegraph system. It also set fire to railway bridges, sacked and burnt the bungalow of a Scotch missionary, and made an unsuccessful attempt to wreck the mail train. At Akalgarh and Hafizabad extensive damage was done to the telegraph wires, and at the latter place an officer of the Military Farms Department had a fortunate escape from the murderous intentions of a threatening crowd. In the Shekhupura sub-division persistent and determined attacks on the telegraph and railway systems were made at Chuharkhana, Shekhupura, Sangla and other places, at least three railway stations being destroyed, while savage assaults were made on certain railway employés and Government servants. An armoured train was sent to the rescue from Lahore, and fire was opened from this at Chuharkhana under the orders of Rai Sahib Lala Sri Ram Sud, Extra Assistant Commissioner of Sharakpur. The Committee find that this officer acted in a difficult situation with promptitude and decision. The minority take a different view and condemn him on the ground that his intention was punishment and that

the firing was therefore not justified. The Government of India accept the opinions of the majority in all matters arising out of the disturbances at these places and agree with them that Lala Sri Ram Sud displayed promptitude and decision in the discharge of his duties.

28. Chapters VI and VII describe the events which occurred in the Gujrat and Lyallpur districts respectively. The chief features of the disturbances in these areas were attacks on railway communications and telegraph wires. At Gujrat on the 15th April fire had to be opened on a riotous mob which was dispersed without casualties. At Malakwal a train was derailed on the 17th April and two lives were lost. In Lyallpur a very disquieting and prominent feature was the continued exhibition of posters of an inflammatory and criminal character. Indians were called upon, in the blessed name of Mahatma Gandhi, to fight to the death against English cheats and to dishonour English women. Great tension existed for several days and the situation at Lyallpur was an anxiety to Government on account of the memories of the previous troubles of 1907. The position was so serious that the Europeans in the station were collected for safety in two houses in the civil lines, but no actual violence occurred except the cutting of telegraph wires at a few places in the district. The arrival of troops on the 17th April prevented any further disorder.

The Committee have not described in detail the acts of violence and disorder which occurred in many other towns and places in the Punjab, but these are set forth in the chronological statement annexed to the report and it is necessary to bear them in mind in considering the position as it appeared to the local Government when the proclamation of martial law was recommended.

29. Chapter VIII describes the persistent and widespread attacks on the railway and telegraph systems, which continued from the 10th April till about the end of the month. According to a report of the Telegraph Department, the wires were cut or tampered with on 55 occasions, but there were besides numerous attacks on rai'way telegraphs and the total number of outrages of this class cited by the Home Member at a Council meeting in September last according to a statement of the Punjab Government was 132. The Committee ascribe the attacks on communications partly to anti-Government feeling and partly to the desire to prevent the movement of troops. They also refer to the persistent attempts which were made to incite the railway staff to strike. The unrest prevailing amongst certain sections of the staff was a cause of great anxiety to Government at this critical time.

The importance of this chapter lies in the close bearing it has on the question of the justification for the introduction and continuance of martial law. The significance of the statistics of railway and telegraph interruptions is brought forcibly home by the maps attached to the report. These indicate the extended area over which this class of offence was committed, giving rise to a suspicion of preconcerted action.

30. In Chapter IX, the Committee discuss the causes of the disturbances and say that an adequate explanation of the general and widespread outbreaks in the Punjab must be sought in the causes of a general state of unrest and discontent amongst the people, particularly the inhabitants of the larger towns. The increased interest in political agitation caused in recent years by the Home Rule movement received a great impetus from the new doctrine of self-determination. Meanwhile however the restrictions imposed under the Defence of India Act were becoming more essential, as the war drew to its climax. These restrictions affected the daily life of the ordinary citizen much more lightly in India than in Europe; nevertheless, particularly when imposed on political agitation, they were, however necessary, the more galling to the educated classes, in view of the fact that the political future of India was under consideration. The Punjab was meanwhile doing more than its share to respond to the call of the Empire for recruits for the army, and the strain was falling mainly on the country districts, which the local Government considered it necessary to protect from any anti-Government agitation likely to hamper the work of recruitment. After the conclusion of the Armistice in November 1918, hopes ran high amongst the educated classes that the services rendered by India in the war would receive immediate recognition. But these hopes were not at once fulfilled and disappointment was caused by a combination of circumstances, such as high prices, scarcity, food stuff restrictions, and the anxieties of the peace settlement, especially as it affected Turkey.

The Committee next consider the agitation against the Rowlatt Bills. They find that this was largely, if not mainly, responsible for creating the feeling against Government which provoked such serious disorders and they cite various false rumours as to the provisions of the Bill which inflamed popular feeling. They next examine the history and progress of the Satyagraha movement inaugurated by Mr. Gandhi on the 24th February. After a careful review of this movement in all its aspects, the Committee find 'that a familiarity and sympathy with disobedience to laws was engendered by it amongst large numbers of people and that the law-abiding instincts which stand between society and outbreaks of violence were undermined at a time when their full strength was required. From its first inception the Satyagraha movement was condemned by prominent leaders of moderate opinion in India as likely to promote disorder and breach of the peace, and the organizer himself recognized later that in embarking on a mass movement he had underrated the forces of evil. The Committee expressly find that the recruiting campaign and the action taken in the Punjab to raise subscriptions to the war loans were not responsible for the unrest. They conclude by saying that there is no evidence that the outbreaks in the Punjab were the result of a pre-arranged conspiracy to overthrow the British Government in India by force, but that it was difficult and probably unsafe for Government not to assume that the outbreak was the result of a definite organization. Apart from the existence of any deeply laid scheme to overthrow the British, a movement which had started in rioting and become a rebellion might have rapidly developed into a revolution.

31. In the introductory chapter of their report the minority state that they are in substantial agreement with the findings of the majority as regards the causes of the disturbances, with this reservation that they do not concur in the opinion that the Punjab authorities were justified in assuming that the outbreak was the result of a definite organization. They are unable to agree that the riots were in the nature of a rebellion and they say that it is an unjustifiable exaggeration to suggest that the events might have developed into a revolution. They entirely agree with the majority in their estimate of the Satyagraha movement and its off-shoot, civil disobedience of laws. They develop their views on the real character of the disorders, including their causes, more fully in Chapter II of their report. Here they refer to the general conditions existing in the beginning of 1919, the strain placed on India by her war efforts, the hardship of high prices, the inconveniences and restraints imposed by war measures, the hope of alleviation excited by the armistice, and the subsequent disappointment caused by famine, epidemic, and a more stringent Income-tax Act, the belief that the proposals of the Government of India as regards the reform scheme were illiberal and intended to whittle it down, and the delay of the Turkish settlement. They argue that many of the foregoing causes affected the Punjab more than other provinces and they instance other special factors such as war weariness, foodstuff and traffic restrictions, Sir Michael O'Dwyer's speeches, press restrictions, the orders prohibiting the entry into the province of outside politicians, all tending to cause general irritation among the educated classes. While refraining from any discussion of the merits of the Rowlatt Act they hold that its introduction and enactment in the face of Indian opinion was a fetrtile source of discontent which was fostered by misrepresentations in the Punjab. They assert that Indian leaders were not responsible for these misrepresentations, and they condemn Government for failing to explain the Act to the masses until after the *hartal* of April the 6th, although misrepresentations were current before that date. They accept the estimate of the Satyagraha movement formed by the majority, but they disclaim the view that the disorders in the Punjab can be attributed to any active presentation of the Satyagraha doctrine by organizations working within the province. They find that there was no organization to bring about disturbances and they quote the evidence of various official witnesses in support of this conclusion. The anti-British and anti-Government outbursts which occurred were in their opinion purely the result of sudden mob frenzy. The minority conclude that although there was thus no evidence of organised conspiracy in the Punjab, the civil and military authorities persuaded themselves that open rebellion existed and took action accordingly.

32. The Government of India accept the findings of the Committee regarding the causes of the disturbances. The minority as stated above are in substantial agreement with the majority on this subject. Of the causes specially mentioned by the minority they agree that epidemics and a new Income-tax Act were factors in the unrest, and this latter cause may have accounted in part for the extent to which the movement enlisted the sympathy of the trading classes. The despatches containing the views of the Government of India on the Reform proposals were not published till long after the disturbances, and if, as is suggested by the minority, the supposed attitude of the Government was a cause of unrest this must have been due to deliberate misrepresentation. Moreover, so far as is known, no such allegations were made either in the press or on the public platform before the disorders actually broke out. The minority assign as one of the causes of the unrest which preceded the outbreak in the Punjab the attitude of Sir Michael O'Dwyer towards the educated classes and the resentment which they allege was produced thereby. The efforts made by the large land-owners and men of leading in rural areas to promote recruiting during the war had brought these classes into prominence and had secured a generous recognition from the local Government. For this and other reasons a tendency had sprung up towards cleavage between the rural classes and the trading and professional classes from which the intelligentia is mainly drawn. This may have created amongst the latter an impression that their political influence was being curtailed. The Government of India agree with the Committee that misrepresentations of the Rowlatt Act were

an important cause of the outbreak. Such misrepresentations were freely circulated and their harmful effects were incalculable. Government were unaware of the dissemination of these malicious falsehoods until the beginning of April, when they at once took action to contradict them. It is unfortunate that neither in the press nor on the public platform did those who attacked the Act endeavour to r-move the effects of these misrepresentations. Whether it is correct or not to say, as the minority do, that the disorders in the Punjab were not due to any active presentation of the Satyagraha doctrine within the province, we must place on record our belief that many of those who joined the Satyagraha movement did so with the intention of using it for the purpose of promoting disorder. Finally we desire to observe that the opinion of the minority regarding the nature of the disorders is discounted by their findings of fact, while the conclusion of the majority that a movement which started in rioting became a rebellion is supported by the conviction before various tribunals of a large number of persons for the offence of waging war against the King. These convictions, in the opinion of the Government of India, are of great importance in reaching a decision as to the true character of the disorders.

But whatever the truth may be as to the causes produced these disorders and grave as the outbreak was in its nature and effects, it must not be forgotten that the loyalty of India as a whole remained unshaken and that even in the Punjab the bulk of the population maintained its reputation and did not fall a victim to the infection which so disastrously affected a portion of it.

33. There is one point in the discussion of causes to which the Government of India desire to advert at greater length. It has been represented that the action taken by Government against prominent politicians, such as Mr. Gandhi and Drs. Kitchlew and Satyapal, was the cause and not merely the occasion of the disturbances. This is sufficiently disproved by the fact already pointed out that the Satyagraha movement had led to grave disorders in Delhi long before any such action was taken. But the circumstances in which Mr. Gandhi was excluded from Delhi and the Punjab deserve fuller examination.

The situation about the end of March has already been described. The acute state of tension which continued in Delhi for some days after the outbreak of the 30th March greatly increased the potentialities of danger of the Satyagraha movement in other parts of India, where the news of the Delhi rioting caused great excitement. The events of that date might indeed well have conveyed to the promoters of the movement a warning of the dangers which were attendant on their propaganda, but actually they were far from doing so. The agitation accompanied by increasing excitement continued unchecked all over the country.

It was at this critical juncture that we received information that Mr. Gandhi had vigorously renewed his campaign of civil disobedience to the laws, and on the 9th we heard that he had left Bombay for Delhi on the previous evening. Immediately on receiving this news, we consulted the Lieutenant-Governor of the Punjab and the Chief Commissioner of Delhi. Both these officers considered that the situation had become serious and that it would be most dangerous to allow Mr. Gandhi to enter their jurisdictions. His avowed intention was to break the law of the land and to secure adherents to the Satyagraha movement. His arrest and prosecution in the Punjab would in all probability have been the signal for an outbreak and the enlistment of any large number of supporters to his movement in that province would almost certainly have led to an immediate campaign of active resistance and outrage. The Chief Commissioner considered that an order merely prohibiting Mr. Gandhi from entering Delhi would be very dangerous, as the only method of enforcing it would be to arrest, detain and prosecute him in that city. On the other hand, if he were allowed to enter Delhi, it was most probable that he would break the law there and would have to be arrested and tried for an offence, with the result that there would almost certainly be a recurrence of the recent serious rioting. In these circumstances the Government of India authorised the local Governments of the Punjab and Delhi to issue orders under rule 3 (*b*) of the Defence of India Rules, directing Mr. Gandhi to remain in the Bombay Presidency. The Government of India then considered, and still consider, that this course was amply justified in view of the fact that Mr. Gandhi was the leading spirit of a movement intended to paralyze Government.

34. In the same way it has been suggested that the action of the Punjab Government in ordering the deportation of Drs. Kitchlew and Satyapal on the 10th April was a provocative act leading direct to the subsequent outrages. Previous orders had been passed prohibiting them from speaking in public, and it is true that they had not taken an open part in the meetings immediately preceding the "hartal" of the 6th April. But as the evidence subsequently taken before the martial law commission showed, they held secret meetings after that date and continued to direct an agitation which was found to be of the nature of a criminal conspiracy. It was in these circumstances that the local Government decided to remove them from Amritsar to Dharmsala. That outrages followed as soon as the news of the deportation became known is of course the case. But

it is always a question of the greatest difficulty to judge whether, preventive steps such as those taken will, in a time of great popular excitement, quiet the general atmosphere or precipitate disorder. The probability seemed to be that they would achieve the former result.

35. Chapter X of the Report contains a statement of the facts regarding the successive stages in the application of martial law. Chapter XI discusses the propriety of its introduction and continuance. The majority of the Committee, as already mentioned, definitely find that a state of rebellion against Government existed. They review the various occurrences, indicate the broad features of the disorders and their significance, point out the danger of criticising isolated events and examine the whole position as it presented itself to the Punjab Government and the Government of India. Finally, they conclude that the situation in the Punjab was one of extreme gravity and that the authorities were justified in declaring martial law in those areas where it was proclaimed.

The wisdom of continuing martial law is discussed at some length, and the prolongation of it on the railway is examined with special reference to the Afghan War. The conclusion of the majority is that those responsible for the continuance of martial law gave careful and considerate judgment to the question and did not prolong it beyond the time during which to the best of their judgment it was necessary for the maintenance and restoration of order in the province. Looking to the problem with which Government was faced, the committee do not think they would be justified in adversely criticising the decision. On the question of the enforcement and continuance of martial law the minority differ widely from the majority. They find that the introduction of martial law was not necessary, because in their opinion order had been restored everywhere and the authority of Government vindicated before martial law was applied. They think that order could have been restored by the civil power with the aid of the military and that the Punjab Government persuaded themselves rather easily that martial law was necessary. The reasons for the continuance of martial law are also examined and rejected. Assuming that the introduction of martial law was necessary, they say that it ought not to have been continued beyond a few days. The Punjab Government, they think, approached the question from a wrong point of view and the Government of India were guided by the local Government.

36. In considering the necessity for the declaration of martial law it is difficult for the Government of India to take an entirely detached view. We were necessarily guided by the information forwarded by the local Government: we had already received reports of grave disorders occurring in various places: and we maintain the view that with this information before us, we could not have taken any other course than we actually adopted, when we received from Lahore on the afternoon of the 13th April the wireless message which ran as follows :—"Railway stations between Kasur and Amritsar looted. British soldier killed and two British officers injured at Kasur. Bands of rebels reported on move—Kasur and Tarn Taran treasuries attacked. State of open rebellion exists in parts of districts of Lahore and Amritsar. Lieutenant-Governor with concurrence of General Officer Commanding, 16th Division, and Chief Justice of the High Court, requests Governor-General in Council to suspend functions of ordinary Criminal Courts in Amritsar and Lahore Districts, to establish martial law therein and to direct trials of offenders under section 22, Regulation X of 1804. Section 4 will be borne in mind. Situation is critical. Moveable column starts on march from Ferozepore to Amritsar through worst tract with guns to-morrow."

The action of the Government of India has now been justified by the findings of the majority of the Committee, who also exonerate the local Government from all blame. The minority accept the findings of fact as to the number of outrages committed, the animus of those engaged in the riots, the violence used and the number of times on which it was necessary to resort to firing; they also observe that the acts of some of those who took part in the disorders may have amounted in law to waging war against the King, although it was not rebellion in the sense in which that term is ordinarily used. These findings, in the opinion of the Government of India, detract largely from the force of their conclusion that the introduction of martial law was not necessary. In regard to the continuance of martial law the Government of India have nothing to add to the findings of the majority beyond stating that although martial law was maintained on the Railways for a prolonged period owing to the outbreak of the Afghan War, it was only employed there, after it had been withdrawn from the districts, for the purpose of controlling traffic and protecting the lines.

There is, moreover, one factor in the situation as it presented itself in April 1919, which cannot in the opinion of the Government of India be neglected without prejudice to sound judgment. At that time the British Empire was at war with Germany.

Even at the present moment we are not yet at peace with all our enemies; and certainly a year ago when the treaty of peace with Germany had not yet been signed the existence of a state of war was not a mere technicality. Allusion has already been made to the additional pre-occupation which intervened in the shape of war with Afghanistan, and the difficulties thus created were enhanced by the attitude of the frontier tribes. But at the back of and accentuating these more local difficulties was the paramount necessity of maintaining at the call of the Empire, whose needs were abated, but not extinguished, by the armistice, the resources of the Indian Dominions of His Majesty. In the face of this necessity it was impossible to contemplate any policy which involved an appreciable risk of delay in the restoration of normal conditions or of the recrudescence of the disorders which appeared to have been suppressed.

We desire to add here that our Hon'ble Colleague Mr. Shafi dissents from the finding of the majority of the Committee, accepted by us, that the declaration of martial law was necessary. In his opinion, there being no organised or preconceived conspiracy to subvert British rule behind these disturbances, the vast rural tract in the five districts concerned having remained tranquil and loyal, there having been disturbances only in a few places in the urban area, and even in these few places the majority of the residents not having taken any part in the disturbances, there was no open rebellion as alleged and no justification in consequence for the proclamation of martial law. Besides before the date on which martial law in these districts was actually enforced, the disturbances had been quelled with the assistance rendered by the military and, in consequence, there was no justification for enforcement or maintenance of martial law on these days and after. This being the case, Mr. Shafi is of opinion that the continuance of martial law over such a long period was uncalled for.

37. Chapter XII deals with the administration of martial law, including the working and procedure of the summary courts. The majority of the Committee find that the trials were correctly described as lengthy, detailed and careful, and commend the substitution for courts martial of tribunals similar to those under the Defence of India Act. They find, however, that although arrests were made in the ordinary way, there may have been cases in which individual police officers subjected those arrested to unnecessary severity. They observe that while the number of persons arrested and not brought to trial was regrettably large and the period of detention unusually long, on the whole this difficult work was not done badly or oppressively. The disorder was so widespread and serious that its inevitable result was to strain any improvised system. In regard to the sentences passed by the martial law courts, the Committee find that there was a general feeling that they were unnecessarily severe but that this was remedied by the commutations effected by the local Government. They suggest that charges for serious offences need not have been pressed in the case of minor offenders. Extensive reductions in the sentences would not then have been necessary. The Committee also find that in certain cases, *e.g.*, those of Drs. Kitchlew and Satyapal, it is a matter for regret that the accused were not tried by the ordinary courts. These views are accepted by the Government of India. The military order prohibiting the employment of counsel from outside the Punjab is criticised as unwise and the action of the Government of India in disapproving it is commended.

38. The Committee examine at considerable length the nature of the martial law orders which were promulgated by military commanders in the Punjab. The majority find that some of the orders passed were injudicious and served no useful purpose. They criticise severely the "crawling" order passed by General Dyer (which was disapproved by the Lieutenant-Governor as soon as it came to his notice), the "salaming" order of General Campbell, and the "roll call" imposed by Colonel Johnson on the students of Lahore. The Government of India agree that in the instances which the Committee cite with disapproval the action of the officers mentioned was unjustifiable and in some cases inflicted unnecessary humiliation, resulting in ill-feeling which has been a serious embarrassment to the administration. The flogging of six persons, the suspected assailants of Miss Sherwood, for a breach of fort discipline on the spot where that lady was assaulted is severely criticised and the Government of India agree that the action taken in this case was highly improper. In dealing with sentences of public flogging the Committee say that under martial law administration no flogging should take place in public. They find further that the number of flogging sentences was excessive, and though it was regarded as probably the most efficacious and convenient method of dealing summarily with minor breaches of martial law regulations, restrictions ought to be placed on the discretion of area officers in awarding sentences of this kind. They say, however, that there is no foundation for the allegation that whipping was inflicted in a cruel fashion and that several persons practically succumbed to it. These findings

the Government of India entirely accept. The Committee then refer to the infliction by summary courts of certain punishments not warranted by the law. Though these punishments were unsuitable, they were not generally of a serious nature and were often awarded in place of more severe legal punishments. The Government of India, however, disapprove of such fantastic penalties and have taken steps to prevent their being imposed in future.

39. The minority are more severe in their condemnation of the martial law administration. In addition to the criticisms already dealt with they contend that many of the orders were issued for purely punitive purposes. They cite in particular the orders directing representative of each ward in Lahore to appear daily before the commanding officer to ascertain his orders for the day. The curfew order, the regulation of prices, and the commandeering of motor cars, electric lights and fans from Indians are also criticised. We are not prepared to say that all these orders were without justification, but we consider that the administration of martial law in Lahore was in some respects unduly severe and exceeded its legitimate limits, that is to say, the requirements of the military situation and the maintenance of law and order. The minority condemn the order imposing on property-owners responsibility for the safety of martial law notices pasted on their houses. The Government of India are not prepared to say that in the circumstances this order was improper. The minority express their strong disapproval of the confinement of the professors and students of the Sanatan Dharma College because certain martial law notices had been destroyed. The Government of India agree that this order exceeded the necessity of the case. The minority further criticise and condemn the conduct of certain officers, notably Colonel O'Brien, Mr. Bosworth Smith and Mr. Jacob, for various orders passed by them in the administration of martial law. The Government of India agree that in the instances cited the officers mentioned acted injudiciously and in some cases improperly. While the findings of the minority report in regard to all these points are very cogent and in some cases fully justified, it must be remembered that officers charged with the administration of martial law cannot be expected to act in abnormal conditions with that care and circumspection which are possible in normal times, nor can such a standard be rigorously applied for the subsequent examination of their actions in the calm atmosphere of safety after order has been restored.

40. The minority in a separate chapter discuss the working of the courts under martial law. The flogging of some members of a marriage party in Lahore by an extra assistant commissioner is rightly condemned. The Punjab Government at once took action against the officer responsible for this abuse of power. The procedure of the summary courts is attacked as unsatisfactory. The Government of India do not think that when martial law is enforced summary courts can be required to observe the formalities of procedure which normally obtain. The minority comment more severely than the majority on the large number of persons arrested and discharged without trial. In the opinion of the Government of India arrest and detention for short periods are justifiable during a period of martial law as preventive measures to preserve the peace; further many of those arrested were not prosecuted subsequently because though evidence was available, the necessary deterrent effect had already been secured by the conviction of a large number of persons for similar offences. Nevertheless, the Government of India consider that the arrest and detention for long periods of so many persons, and particularly of Dr. Kedar Nath, Mr. Gurdial Singh, Dr. Manohar Lal and six lawyers of Gurdaspur, were a serious error and while they do not overlook the difficulties of the situation, they are constrained to express their disapproval of the action taken in these cases.

In this connection we cannot pass over in silence the allegations of corruption and ill-treatment of prisoners and witnesses on the part of subordinate officers of the police and other services to which wide currency has been given. We recognise the difficulty of sifting charges made so long after the event, but we will direct the local Government to undertake enquiries and take appropriate action in cases where specific complaints are made and action has not already been taken.

41. We accept the view that the administration of martial law in the Punjab was marred in particular instances by a misuse of power, by irregularities, and by injudicious and irresponsible acts. We further agree with the Committee that while the principle of the ultimate supremacy of the military authorities must be kept in view, still in practice executive instructions should be given to all officers who may be called upon to administer martial law, which will guide them in the discharge of this duty. In our opinion it was the absence of such instructions which was responsible for many of the defects which have been noticed in the administration of martial law in the Punjab. It is to inexperience, ignorance of local conditions, and lack of guidance when confronted with an abnormal situation rather than to deliberate misuse of power that most of the mistakes committed must be ascribed. The Government of India consider that in an area in which in future it may be necessary to enforce martial law, senior civil officers

should be appointed to act as advisers to the various military authorities. The military officer would not be bound in the last resort to follow the advice of his civil adviser but if he decided contrary to that advice, he would do so on his own responsibility. We regard the prevention of any future repetition of mistakes and irregularities as the most important lesson to be learnt from this portion of the report and we have accordingly decided to issue instructions which will secure this object, and will in particular discourage interference by the military authorities with the ordinary administration in excess of the necessities of the case.

42. Before leaving the subject of the working of the courts under martial law, the Government of India desire to refer to the action which was taken by the local Government, after order was restored and martial law withdrawn, to mitigate the effects of the sentences passed by these courts. Between the months of June and November, sentences were reduced in 634 cases, 45 death sentences were commuted, and 43 persons were released. In November two High Court Judges were appointed to review all unexpired sentences passed by summary courts and such other cases tried by Martial Law Commissions as might be referred to them by Government. In December as a result of the reviewing Judges' recommendations, 92 persons convicted by summary courts were released, and further action of the same kind would have been taken, but on the 23rd of that month the Royal Proclamation with its message of amnesty was published and under it clemency was extended to 657 prisoners who were released. By February, out of a total of 1,779 persons convicted in connection with the disturbances, only 96 of the worst offenders, who had taken part in serious crimes of violence, remained in jail and this number has since been reduced to 88. The extension of clemency to political prisoners in the Punjab has been guided throughout by the generous and sympathetic recommendations of the Lieutenant-Governor, whose efforts to restore a peaceful atmosphere within the province are gratefully acknowledged by the Government ofIndia.

43. It now remains for the Government of India to endeavour to arrive at a just appreciation of the conduct of the officers of the Crown, whether civil or military, who were employed in the areas affected by these disorders and to make certain general remarks which appear to be essential before finally disposing of the Committee's report. The task of rightly estimating in a calm atmosphere, when order and peace have been restored, the behaviour of those faced with a grave emergency and compelled to arrive promptly at decisions of the greatest moment is one of unusual difficulty. The very qualities of courage and initiative, which are of incalculable value during the early stages of an out-break, may in its later stages be a source of injury, if not tempered by discretion. Moreover, any such estimate, if it is to be just must not neglect the difficulty of deciding when to act and when to refrain from action, and must endeavour to view the whole position in a right perspective.

It was fortunate that, when the disturbances broke out in April, 1919, the Punjab was in charge of a Lieutenant-Governor of great experience and courage. The Government of India consider that Sir Michael O'Dwyer acted with decision and vigour in a time of great danger and that he was largely responsible for quelling a dangerous rising which might have had widespread and disastrous effects on the rest of India.

Reviewing the situation as a whole, we desire to express our great appreciation of the admirable conduct of the troops who were employed in the suppression of the outbreak. Leaving aside individual instances, which have already been noticed, both officers and men acted with admirable restraint under most trying circumstances and the Government of India have nothing but praise and gratitude for the services which they rendered in suppressing disorder and restoring the peace of the country.

The officers of the civil administration of all classes and ranks in the affected areas generally maintained that high standard of conduct and devotion to duty which the Government of India would have expected of them. Thanks are due not only to those who were immediately concerned in the restoration of order but also to those who by carrying on their ordinary duties with calmness and fortitude in a time of turmoil did much to restore the confidence of the people. The names of some of those officers who have been specially commended have already been referred to but if local Governments consider that there are other officers whose conduct merits special commendation, their names should be brought to notice at an early date.

To those non-officials who either did their best to stay the agitation which had so sinister a connection with the outbreak, or who by their influence and assistance helped the authorities to restore order, the grateful acknowledgments of the Government of India are due in full measure and local Governments will be asked to see that individual assistance of this kind does not go unacknowledged or unrewarded.

It is a great satisfaction to the Government of India to notice that there were many of all classes and creeds who, in the face of frenzied mobs, and even at the risk of their lives, afforded assistance or showed compassion to the innocent victims of the outrages.

Here again it is desired that all such actions shall be marked with a very definite acknowledgment or in cases where such a course is suitable, be recompensed with a pecuniary reward.

44. The names of officers whose actions have been rightly criticised or condemned have been mentioned in the body of this despatch and local Governments will be requested to take such action as may be necessary to mark in these cases the disapprobation of the Government of India.

The case of General Dyer calls for separate mention. We have given most anxious consideration to the action of this officer at Jallianwala Bagh. We are satisfied that it was *bonâ-fide* and dictated by a stern though misconceived sense of duty. The facts are abundantly clear. General Dyer has made no attempt to minimise his responsibility for the tragedy or even to put a favourable complexion on his action or purpose. The only justification that could be pleaded for his conduct would be military necessity arising out of the situation before him and in the area under his jurisdiction. In circumstances such as General Dyer was confronted with, an officer must act honestly and vigorously but with as much humanity as the case will permit. We recognise that in the face of a great crisis an officer may be thrown temporarily off the balance of his judgment and that much allowance must be made on this account. We recognise further that, however injurious in its ultimate effect General Dyer's action may have been, it resulted in an immediate discouragement of the forces of disorder. Nor have we overlooked our resolution in which we promised full countenance and support to officers engaged in the onerous duty of suppressing disorder. Nevertheless after carefully weighing all these factors, we can arrive at no other conclusion than that at Jallianwala Bagh General Dyer acted beyond the necessity of the case, beyond what any reasonable man could have thought to be necessary, and that he did not act with as much humanity as the case permitted. It is with pain that we arrive at this conclusion, for we are not forgetful of General Dyer's distinguished record as a soldier or of his gallant relief of the garrison at Thal during the recent Afghan war. We must however direct that the judgment above pronounced be communicated to His Excellency the Commander-in-Chief with the request that he will take appropriate action.

45. We have on several occasions expressed our very great regret for the loss of life, European and Indian, which occurred in the disturbances and our sympathy with those who are left to mourn the victims of these unhappy events. We desire once again to convey regret and sympathy to all who have thus suffered. Compensation, so far as this can be any reparation, has been awarded to those to whom compensation was due under the law, and adequate provision has been, or will be, made for the dependents of Government servants who have lost their lives in the disturbances. The Punjab Government will also be enjoined to consider the cases of persons who have been left in want through the death or permanent injury of their supporters at Jallianwala Bagh, and to supplement, if necessary, any assistance that may have been rendered to such persons by local charity organizations.

46. We have now surveyed all the conclusions of the Committee. There remains, in our opinion, one lesson of supreme importance to be drawn from the events of April 1919. It will be impossible to dissociate memories of these disorders from the civil disobedience movement which was their chief immediate cause. When this movement was initiated, it was apparently not obvious to its promoters, as it was to all thoughtful persons, that in India in its present state of development (whatever may be the case in other countries) the unsettling effect of advice to the public in general to break selected laws was likely to lead to a situation which might involve the overthrow of all law and order. The bitter experience of last year removes this question from the category of doubt, and those who henceforth inaugurate such movements from whatever motives, cannot feel uncertain as to the consequences of invoking forces which they can neither direct nor control. We can only hope that this lesson has been learnt once for all, and that in the future all right-thinking persons will set their faces firmly against the deliberate playing with fire which is involved in the promotion of such movements.

Finally, we desire to express here our earnest hope that the lesson to be learned from these events is not of a merely negative character. Since the period which has formed the subject of this enquiry a new era has been inaugurated in India and the change has given occasion to a gracious proclamation by the King-Emperor, which has appealed to the hearts of all his subjects in India. We venture to recall at this time the salient feature in this gracious message; we feel confident that the earnest desire expressed by the King-Emperor that any trace of bitterness between his people and those responsible for his Government should be obliterated, will not pass unheeded.

47. In conclusion, we desire to express our thanks to Lord Hunter and the members of his Committee for the great ability and painstaking labour they have bestowed on an enquiry which from its very inception must have been a most difficult and

seemingly thankless task, and for their report which has cleared up much that was in doubt and dispute, and which has been of the utmost service to us in arriving at just conclusions on the many questions that called for decision.

We have the honour to be,
Sir,
Your most obedient, humble servants

(Signed) CHELMSFORD.
„ C. C. MONRO.
„ G. S. BARNES.
„ W. H. VINCENT.
„ M. SHAFI.
„ W. M. HAILEY.
„ T. H. HOLLAND.
„ A. P. MUDDIMAN.

India Office, London:
The 26th May 1920.

No. 108-Public.

To—His Excellency the Right Hon'ble the Governor-General of India in Council.

My Lord,

His Majesty's Government have considered the report of Lord Hunter's Committee upon the disturbances which occurred in the Punjab and other parts of India in the early part of last year. They have further been informed by me of the conclusions at which Your Excellency's Government had arrived in your own review of the report as expressed in your letter dated the 3rd May, the text of which you have telegraphed to me. The report and your letter naturally cover ground which His Majesty's Government did not feel called upon to survey in detail, but their consideration of the matter has led them to definite decisions upon certain of the more important questions arising out of the report, and they have desired me to communicate to you in my reply to your letter their considered statement of these decisions. The paragraphs numbered 2 to 8 of this despatch contain accordingly this statement.

2. *General.*—The report of Lord Hunter's Committee presents the results of a prolonged and patient investigation. Their labours would be of little value if their very complete and careful findings are not put to a practical use. The conclusions here recorded have been inspired in the main by the belief that the chief duty which lies upon His Majesty's Government and the Government of India in utilising the report is not primarily to apportion blame to individuals for what has been done amiss or to visit penalties upon them, but rather to prevent the recurrence in the future of occasion for the blame or regret should unfortunate circumstances ever produce again a situation such as that which occurred in India in the spring of 1919.

3. *The conduct of Brigadier-General Dyer at Amritsar on April the 13th.*—The main features of the occurrence at Jallianwala Bagh in Amritsar City on the afternoon of April the 13th, 1919, are well known. They are set out at length in Lord Hunter's report and appear in minute detail in the evidence, both written and oral, given before the Committee by Brigadier-General Dyer himself, the full and authorised text of which is now available to the public. As to the facts, there is no doubt and no dispute, and it is only necessary here to recapitulate them very briefly in their baldest form. On the morning of April the 13th Brigadier-General Dyer, who had arrived at Amritsar on the night of the 11th, issued a proclamation forbidding *inter alia* processions to parade in or outside the city and declaring that "any such procession or gathering of four men will be looked upon and treated as an unlawful assembly and dispersed by force of arms if necessary." This proclamation was read out at various places in the city, in the course of the progress through the streets of a column of troops led by Brigadier-General Dyer personally, who left his quarters about 9 a.m. for this purpose and returned to them about 1-30 p.m. About an hour before his return to his quarters in Ram Bagh Brigadier-General Dyer had heard that despite his proclamation it was intended to hold a large meeting at Jallianwala Bagh at 4-30 that afternoon, and at 4 p.m. he received a message that a crowd of about 1,000 had already assembled there. Shortly after 4 p.m. Brigadier-General Dyer marched from Ram Bagh with picketing parties (as he had previously determined to picket the main gates of the city) and with a special party consisting of 50 Indian Infantry armed with rifles, 40 Indian Infantry armed only with "Kukris" (type of sword), and two armoured cars.

He proceeded straight to Jallianwala Bagh dropping his picket parties *en route* and on arrival marched his infantry through a narrow lane into the Bagh and deployed them immediately right and left of the entrance. The armoured cars he left outside, as the lane was too narrow to admit them. Having deployed his troops Brigadier-General Dyer at once gave orders to open fire and continued a controlled fire on the dense crowd facing him in the enclosure (which he estimated at about 5,000 persons) for some 10 minutes until his ammunition supply was at the point of exhaustion. 1,650 rounds of ·303 mark VI ammunition were fired. The fatal casualties as the result of this action are believed to be 379; the number wounded has not been exactly ascertained but is estimated by Lord Hunter's Committee at possibly three times the number of deaths. Immediately after giving orders to cease fire, Brigadier-General Dyer marched his troops back to Ram Bagh. The reasons given by General Dyer for the severity and duration of his fire are stated as follows in his written statement furnished to the General Staff (16th Indian Division) and subsequently laid before Lord Hunter's Committee: "We cannot be very brave unless we be possessed of a greater fear. I had considered the matter from every point of view. My duty and my military instincts told me to fire. My conscience was also clear on that point. What faced me was what on the morrow would be the "Danda Fauj" (this, which may be translated as bludgeon army, was the name given to themselves by the rioters in Lahore). I fired and continued to fire until the crowd dispersed, and I consider this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand, the casualties would have been greater in proportion. It was no longer a question of merely dispersing the crowd, but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity."

The principle which has consistently governed the policy of His Majesty's Government in directing the methods to be employed, when military action in support of the civil authority is required, may be broadly stated as using the minimum force necessary. His Majesty's Government are determined that this principle shall remain the primary factor of policy whenever circumstances unfortunately necessitate the suppression of civil disorder by military force within the British Empire.

It must regretfully but without possibility of doubt be concluded that Brigadier-General Dyer's action at Jallianwala Bagh was in complete violation of this principle. The task which confronted him was to disperse by force if necessary a large but apparently unarmed assembly which had gathered in defiance of his orders. It is possible that considering the strength of the military force at his disposal, the size of the crowd, and the general temper and attitude of the inhabitants of the city, he would have found it impossible to achieve this task effectively and completely without some firing and without causing some loss of life. But it is certain that he made no attempt to ascertain the minimum amount of force which he was compelled to employ, that the force which he actually employed was greatly in excess of that required to achieve the dispersal of the crowd, and that it resulted in lamentable and unnecessary loss of life and suffering. But this is not a full statement of Brigadier-General Dyer's error. There can be no doubt that large numbers of people in the assembly, many of whom were visitors to the city from surrounding villages, were ignorant of the existence of his proclamation and the danger which they ran by attending the gathering. The proclamation was published in only a portion of the city, that portion being some distance from the scene of the meeting and no warning of any kind was given before fire was opened. It would be unfair, considering the state of the city, the heat of the weather and the strain to which the troops under General Dyer's command had been subjected since their arrival in the city to lay too great stress upon the first point, but the omission to give warning before fire was opened is inexcusable. Further that Brigadier-General Dyer should have taken no steps to see that some attempt was made to give medical assistance to the dying and the wounded was an omission from his obvious duty. But the gravest feature of the case against Brigadier-General Dyer is his avowed conception of his duty in the circumstances which confronted him.

His Majesty's Government repudiate emphatically the doctrine upon which Brigadier-General Dyer based his action—action which to judge from his own statement might have taken on even more drastic form had he had a larger force at his disposal and had a physical accident not prevented him from using his armoured cars. They have not overlooked the extreme gravity of the situation as it presented itself to the authorities in India generally and to Brigadier-General Dyer in particular on April the 13th, nor have they failed to appreciate the immensity of the responsibility which Brigadier-General Dyer felt and rightly felt to be imposed upon him by that situation. They think it is possible that the danger to the lives of Europeans and to the safety of the British and Indian troops was greater than appears from the Committee's report. In Amritsar itself violent murder and arson of the most savage description had occurred three days previously and the city was still practically in possession of the mob. From the surrounding countryside reports were hourly being received of similar violent outbreaks and attacks upon communications, and the deficiencies in these reports (due to the success of the attacks on communications) were supplemented by rumours which there was little means of verifying and as little ground for disbelieving. In discharging this responsibility with the small force at his disposal Brigadier-General Dyer naturally could not dismiss from his mind the conditions in the Punjab generally and he was entitled to lay his plans with reference to those conditions. But he was not entitled to select for condign punishment an unarmed crowd which, when he inflicted that punishment, had committed no act of violence, had made no attempt to oppose him by force, and many members of which must have been unaware that they were disobeying his commands.

In passing judgment upon Brigadier-General Dyer for his action on April the 13th it is impossible to disregard an order which he passed some six days later, and which has become generally known as the "crawling order." It is unnecessary here to repeat the nature of this order or the circumstances out of which it arose. Had the order been carried out as a punishment upon the persons actually guilty of the crime, which it was designed to stigmatise, it would have been difficult to defend; inflicted, as it was upon persons who had no connection with that crime, with the object of impressing upon the public of Amritsar through the humiliation of those persons the enormity of the crime committed by certain individuals of that public, the order offended against every cannon of civilised Government.

Upon a military commander administering martial law in a hostile country there lies a grave responsibility; when he is compelled to exercise this responsibility over a population which owes allegiance and looks for protection to the Government which he himself is serving, this burden is immeasurably enhanced. It would prejudice the public safety, with the preservation of which he is charged, to fetter his free judgment or action either by the prescription of rigid rules before the event or by over-censorious criticism when the crisis is past. A situation which is essentally military must be dealt with in the light of military considerations, which postulate breadth of view and due appreciation of all the possible contingencies. There are certain standards of conduct which no civilised Government can with impunity neglect and which His Majesty's Government are determined to uphold. Subject to the due observance of those standards, an officer administering martial law must and will remain free to carry out the task imposed upon him in the manner which his judgment dictates to him as best and most effective, and may rely upon the unqualified support of his superiors when his task has been accomplished.

That Brigadier-General Dyer displayed honesty of purpose and unflinching adherence to his conception of his duty cannot for a moment be questioned. But his conception of his duty in the circumstances in which he was placed was so fundamentally at variance with that which His Majesty's Government have a right to expect from and a duty to enforce upon officers who hold His Majesty's commission, that it is impossible to regard him as fitted to remain entrusted with the responsibilities which his rank and position impose upon him. You have reported to me that the Commander-in-Chief has directed Brigadier-General Dyer to resign his appointment as Brigade Commander and has informed him that he would receive no further employment in India, and that you have concurred. I approve this decision and the circumstances of the case have been referred to the Army Council.

4. *The justification for the declaration and continuance of martial law.*—There are no grounds for questioning the decision of the majority of Lord Hunter's Committee that the declaration of martial law and the partial supersession of the ordinary tribunals in the districts of the Punjab in which martial law was applied were justified (Chapter XI, paragraph 17). As regards the dates to which it was prolonged, it is obvious that the institution of martial law involves the responsibility of deciding when it is to be revoked. The general principle is clear that martial law should remain in force no longer than the public safety demands, but beyond this there are no hard and fast criteria which can govern this decision, and a retrospective judgment in the light of after-events is not permissible. The fact that open disorder had ceased some time before martial law was revoked may have been due to the existence of martial law and its earlier abrogation might have been followed by a recrudescence. Looking back in the light of events, it is permissible to argue that an earlier abrogation was possible, though His Majesty's Government can feel little doubt that this argument would have been less pressed than it has been, had there been no grounds for complaint of the manner in which in some cases martial law was administered. But it is not permissible to condemn the authorities responsible for the decisions taken, who had to rely only on their anticipation of the future.

5. *The justification for Ordinance IV of 1919 giving the Martial Law Commissions jurisdiction to try any offence committed on or after March the 30th*—The legality of this ordinance is not a point at issue; that question has been recently determined by the Judicial Committee of the Privy Council. Nor is there any valid reason to question the propriety, when (as was the case here) it can legally be done, of ante-dating the effect of

an enactment setting up special martial law tribunals and procedure, so as to bring within their jurisdiction persons charged with overt acts of violence, which were the immediate cause of and justification for the declaration of martial law. The original ordinance setting up Martial Law Commissions in the Lahore and Amritsar Districts gave the Commissions jurisdiction to try offences committed on or after April the 13th. Had this date remained unamended, it would have been impossible to try by Commission persons charged with actual participation in the murders, incendiarism and destruction of property which occurred on April the 10th at Amritsar, or persons charged with participation in the riots at Lahore on April the 10th, 11th and 12th and in the murders at Kasur on the 12th; and if the Government of India with the legal power at their disposal had neglected to correct the anomaly to this extent they would have omitted an obvious and necessary step towards the rapid restoration of normal conditions. But the use of the power which the ordinance gave in order to apply the special martial law method of trial to persons whose offence consisted in newspaper articles and speeches which were not demonstrably and immediately the cause of the outbreak of open disorder, stands on an entirely different footing and the terms "unfortunate" and "imprudent" which the majority of Lord Hunter's Committee applied to this policy are at all events not exaggerated criticism.

Taking into consideration the acts committed under Ordinance IV of 1919, which it is impossible not to disavow, His Majesty's Government can feel little doubt that the terms of the ordinance itself were too wide, and that the drafting of any future ordinance of a similar kind should ensure due limits to its application.

6. *Administration of Martial Law.*—There is one question with regard to which it is impossible to avoid the conclusion that the majority of Lord Hunter's Committee have failed to express themselves in terms which, unfortunately, the facts not only justify but necessitate. In paragraphs 16 to 25 of Chapter XII of their report the majority have dealt with the "intensive" form generally which martial law assumed and with certain specified instances of undue severity and of improper punishments or orders. It is unnecessary to recapitulate the instances which the Committee have enumerated in detail in both their reports, nor would any useful purpose be served by attempting to assess, with a view to penalties, the culpability of individual officers who were responsible for these orders, but whose conduct in other respects may have been free from blame or actually commendable. But His Majesty's Government must express strong disapproval of these orders and punishments and ask me to leave to you the duty of seeing that this disapproval shall be unmistakably marked by censure or other action which seems to you necessary upon those who were responsible for them. The instances cited by the Committee gave justifiable ground for the assertion that the administration of martial law in the Punjab was marred by a spirit which prompted—not generally, but unfortunately not uncommonly—the enforcement of punishments and orders calculated, if not intended, to humilate Indians as a race, to cause unwarranted inconvenience amounting on occasions to injustice, and to flout the standards of propriety and humanity, which the inhabitants not only of India in particular but of the civilised world in general have a right to demand of those set in authority over them. It is a matter for regret that, notwithstanding the conduct of the majority, there should have been some officers in the Punjab who appear to have overlooked the fact that they were administering martial law, not in order to subdue the population of a hostile country temporarily occupied as an act of war but in order to deal promptly with those who had disturbed the peace of a population owing allegiance to the King-Emperor, and in the main profoundly loyal to that allegiance. It is difficult to believe that this would have occurred had the civil authority been able to retain a large measure of contact with the administration of martial law, and it is of paramount importance, if in the future it should unfortunately be necessary to have recourse to martial law, that some system should be devised which will secure such contact effectively.

A review of the methods and results of the trials by the summary procedure of martial law tribunals would be uncalled for. It is not, however, improper to observe that marked attention has been directed to its disadvantages, and to the extreme divergence between the sentences required by the charges as presented to those courts and by the dictates of justice as they presented themselves to the reviewing authorities. It is to be hoped that, as a result of the experience thus gained, means will be devised whereby martial law tribunals can be improved if they have again to be employed.

7. *The use of bombing aroplanes at Gujranwala.*—With regard to use of bombing æroplanes at Gujranwala on April the 14th, the majority of Lord Hunter's Committee expressed their views as follows:—"As to the use of bombs from æroplanes we do not think that this would be defended by any one save in cases of urgent need in the absence of other means, and under the strictest limitations even then. In our opinion the first two of these conditions were present in full force."......"We are not prepared to lay down as a charter for rioters that when they succeed in preventing the ordinary resources of Government from being utilised to suppress them, they are to be exempt from having to reckon with such resources as remain." They then proceed

to state that no blame can be imputed to the flying officers concerned for carrying out the instructions given to them, but that the action taken under the instructions given illustrates their defectiveness and they conclude by a recommendation that the formulation of instructions to be given to flying officers in future in similar circumstances should form the subject of careful investigation.

In formulating these conclusions, His Majesty's Government desire to state clearly that reconnaissance, communications, propaganda-dropping and moral effect summarise the normal and correct use of aircraft under conditions of unrest in normally peaceful countries. But emergencies may occur when, owing to distances, or damage to communications, or both, and the progress of murderous mob violence and arson which there is no other means of checking, exceptions from this general position are not only justified but necessary. It is impossible to guarantee by general or special instructions that machine guns or bombs will affect only the crowd which would be justifiably fired upon if troops were available on the ground. But in future explicit orders must be required for the employment of armed aircraft in such emergencies: these orders should be issued in writing by a civil authority, and should authorise only a limited amount of bombing and machine gunfire to be employed to overawe mobs, which are, so far as the airman can judge, actually engaged in crimes of violence. The Government will see to it that instructions on these lines are issued as soon as possible. They regretfully agree with Lord Hunter's Committee that the instructions issued to the airmen who visited Gujranwala on this occasion left much to be desired in precision.

8. *Sir Michael O'Dwyer.*—It follows from what has been ssid in earlier paragraphs that on certain points arising out of this enquiry His Majesty's Government do not regard Sir Michael O'Dwyer as immune from criticism. Thus they cannot endorse the unqualified approval which he accorded on insufficient information to the action of Brigadier-General Dyer at Jallianwala Bagh and they think it unfortunate that he did not adhere at the time to his first impulse to withhold both praise and blame on a matter with which as a civil officer he was not in the circumstances directly concerned. The motives which evidently prompted him to adopt another attitude and to maintain that attitude subsequently and in the light of fuller knowledge are less open to criticism.

Secondly, the opinion already expressed on the application of martial law procedure to certain trials must be taken as applying to Sir Michael O'Dwyer in so far as he was personally responsible for the action in question. As regards the administration of martial law generally Sir Michael O'Dwyer had evidently contemplated arrangements by which civil officers would be accorded a recognised position to advise on military administration, and the martial law manual which your Government have under consideration should ensure that in future this plan is brought into operation.

With the general question of Sir Michael O'Dwyer's administration of the Punjab His Majesty's Government are not now immediately concerned. They recognise that it has formed the subject of much controversy in India and that a wide-spread impression has been engineered that the Punjab Government under his direction was hostile to the educated classes, was determined to suppress not only illegitimate but also legitimate and constitutional political agitation. While they sincerely trust that this atmosphere may be dispelled, they are fully conscious of the difficulties of the situation with which he was faced. Conspiracy, the activity of enemy agents, the rise in the cost of living and the necessity of furnishing the bulk of the vast number of recruits for the Indian Army which the needs of the Empire required, though fortunately powerless to disturb the loyalty of the province as a whole, caused constant anxiety throughout his term of office. That term is now closed, a long and honoured connection with India is ended, and His Majesty's Government desire here to pay a tribute to the great energy, decision and courage which Sir Michael O'Dwyer brought to his task through a period of exceptional difficulty and to express their appreciation of his service.

9. As to the conclusions which Your Excellency's Government have recorded on other matters arising out of this report, I am glad to find that I am in general accord with your views, save in so far as otherwise appears from the foregoing paragraphs, and I have little further to add at the present moment. Your Excellency's Government will, however, understand that the publication of documents in which the public, both in India and in this country, is vitally interested is not necessarily a final settlement of all the large questions involved. In particular I shall expect you to submit for my early approval the draft of the martial law manual which you have under consideration. To this matter I attach the utmost importance. I need hardly say that I most earnestly trust that occasion may never arise for the enforcement of such rules. But this enquiry will have served a valuable purpose if it results in the enactment of a code of regulations calculated to ensure, so far as human foresight can serve, a system of administration which is at once adequate to repress disorder, to secure the speedy, just and fitting punishment of its promoters, and which yet subverts no more than the fulfilment of these requirements, necessitate the ordinary rights and course of life of the people at large, and adheres to the processes of civil justice and Government. For in view of conditions which threaten the exist-

ence of the State, martial law is a necessary remedy, but it is a remedy which unless applied with wisdom and good judgment loses its value. It is therefore incumbent upon us to do all in our power to prevent the depreciation of its value by misuse. The same observations apply in my judgment to deportation, an expedient which in its present form it is so notoriously difficult to employ and the effects of which are so incapable of exact estimation.

10. His Majesty's Government found it necessary to criticise in strong terms the conduct of certain officers charged with the administration of martial law and Your Excellency's Government have indicated that all proved cases of abuse of their powers on part of subordinate officers of the police and other services will receive due notice. But these exceptions apart, His Majesty's Government desire me to express to you in no uncertain terms their warm endorsement of your appreciation of the conduct of officers and men, both civil and military, both British and Indian, upon whom fell the heavy task of assisting the people of India to recover the fair name for loyalty and orderliness. The burden thus imposed upon officers and men of His Majesty's British and Indian armies, of his police force and of his civil services who had already borne with fortitude but not without fatigue the trials and strain arising from a long drawn war, was a heavy one. In setting themselves to their task these men proved true to the great traditions of their services.

His Majesty's Government wish further to express the profound regret which they, equally with Your Excellency's Government, feel for the loss of life which these disturbances occasioned, and their deep sympathy with those to whom the events have brought personal bereavement.

11. In conclusion, I am glad to have this opportunity of assuring Your Excellency of the sense of obligation which His Majesty's Government feel to you personally for the manner in which you have fulfilled your high trust. Great as is always the burden borne by the Governor-General of India, world-wide circumstances have combined to lay upon you a degree of anxiety such as has only at long intervals fallen upon any of your illustrious predecessors. His Majesty's Government desire that you should be fortified by the knowledge that they continue to repose the fullest confidence in Your Excellency's direction, inspired as they feel certain it has constantly been by the single aim of the good of the peoples whose government is committed to your charge.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble Servant,

(Signed) EDWIN S. MONTAGU.

By order of His Excellency the Honourable the Governor in Council,

A. MONTGOMERIE,

Acting Secretary to Government.

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PART I.

NOTIFICATION.

JUDICIAL DEPARTMENT.

Bombay Castle, 29th May 1920.

No. 4944.—The KING has been pleased to approve the appointment of Mr. C. G. H. Fawcett, I. C. S., to be a Puisne Judge of His Majesty's High Court of Judicature at Bombay in succession to Sir Joseph John Heaton, Kt., I. C. S., retired, with effect from the 29th April 1920.

By order of His Excellency the Honourable the Governor in Council,

A. MONTGOMERIE,
Acting Secretary to Government.

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